

STATE OF ILLINOIS
92ND GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

115th Legislative Day

April 5, 2002

Speaker Madigan: "The House shall come to order. The Members shall be in their chairs. We shall be led in prayer today by Reverend David Deem of the Lutheran Church of the Cross in Metropolis, Illinois. Reverend Deem is the guest of Representative Jim Fowler. The guests in the gallery may wish to rise and join us for the invocation and the Pledge of Allegiance."

Reverend Deem: "Good morning. It's a privilege to be here and I want to thank Representative Fowler for the opportunity to be here. I bring you greetings on behalf of Lutheran Church of the Cross down in Metropolis. Let us pray. Our Creator Lord, we thank you for life and most especially for this day. We thank you for leaders who serve in this House of Representatives. We are grateful for their commitment and we're grateful for their often difficult and stressful work. As this Session begins this morning, we pray that you will bless each and every leader assembled here. Bless them and their families, wherever they reside. Make them ever mindful of the trust and confidences placed in their hands by the citizens of this State of Illinois. In these moments, may we sense Your holy presence, and may we be open to receive from You guidance and wisdom for decisions and directions that will profoundly affect Your people and countryside and towns and cities. Enable us to see needs and issues clearly, that deliberation and debate may be pathways to courses of action, which will enhance the quality of life for all. In pursuing these goals, lift us up above any partisanship that may hinder and divide and draw us together as leaders who seek the greatest common good. We ask this, for we trust that this is Your ultimate will entrusted to us, to responsibly care for your Creation. And to this end, may Your blessing grant ample

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light, strength for courage, responsible character and guidance that is divine. In Your power and by Your grace we pray. Amen."

Speaker Madigan: "We shall be led in the Pledge of Allegiance, by Representative Patty Bellock."

Bellock - et al: "I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Madigan: "Roll Call for Attendance. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that we have no excused absences on our side of the aisle today."

Speaker Madigan: "Mr. Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that all Republicans are present today."

Speaker Madigan: "Mr. Clerk. Mr. Clerk, take the record. For what purpose does... Mr. Clerk, take the record. On this question, there are 117 people responding to the Attendance Roll Call. There is a quorum present. Mr. Clerk."

Clerk Rossi: "Introduction of Resolutions. House Resolution 769, offered by Representative Howard. House Resolution 771, offered by Representative Howard. House Resolution 772, offered by Representative Garrett. House Resolution 774, offered by Representative Younge. House Resolution 776, offered by Representative Dart. House Resolution 778, offered by Representative Franks. House Resolution 784, offered by Representative Younge and House Joint Resolution 70, offered by Representative O'Brien are assigned to the Rules Committee. Committee Reports. Representative Novak, Chairperson from the Committee on Environment & Energy, to which the following measure/s was/were referred, action

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taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: recommends 'be adopted' Floor Amendment #1 to House Bill 5255 and Floor Amendment #1 and 2 to House Bill 5557. Representative Kenner, Chairperson from the Committee on State Government Administration, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3699 and Floor Amendment #1 to House Bill 5313. Representative Lyons, Chairperson from the Committee on Revenue, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 5384. Representative Saviano, Chairperson from the Committee on Registration & Regulation, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 5281. Representative Shirley Jones, Chairperson from the Committee on Public Utilities, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 4667. Representative Feigenholtz, Chairperson from the Committee on Human Services, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 5906. Representative Flowers, Chairperson from the Committee on Health Care Availability & Access, to which the following

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measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 3933. Representative Fowler, Chairperson from the Committee on Counties & Townships, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 5057. Representative Morrow, Chairperson from the Committee on Appropriations-Public Safety, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 6071, Floor Amendment #1 to House Bill 6083, Floor Amendment #1 to House Bill 6086 and Floor Amendment #1 to House Bill 6092. Representative Davis, Chairperson from the Committee on Appropriations-Human Services, to which the following measure/s was/were referred, action taken on Thursday, April 4, 2002, reported the same back with the following recommendation/s: 'be adopted' Floor Amendment #1 to House Bill 6056, Floor Amendment #1 to House Bill 6067, Floor Amendment #1 to House Bill 6084, Floor Amendment #1 to House Bill 6088 and Floor Amendment #1 to House Bill 6103."

Speaker Madigan: "Mr. Clerk, Mr. Clerk."

Clerk Rossi: "Attention Members, the Rules Committee will meet immediately in the Speaker's Conference Room. The Rules Committee will meet immediately in the Speaker's Conference Room."

Speaker Madigan: "If the Members would give their attention to the following announcement with regards to the Agreed List #1, Supplemental #1, the Clerk has certified that all Bills

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have received a sufficient number of votes and therefore the Bills contained on an Agreed List #1, Supplemental #1 have received the required Constitutional Majority and are hereby declared passed. Ladies and Gentlemen, if we could have your attention. As you all know, today is the last day for the House to consider, House Bills in the House. The plan for the day is to immediately go to the remaining appropriation Bills on the Calendar, call all of those Bills, which will put the House in a position where we will have passed a complete budget from the House to the Senate. Thereafter we will call Bills on the Calendar. Several Amendments have been filed. Many of those Amendments will be assigned to committee. There is no guarantee that the committees will meet today. So if you are the Sponsor of a Bill and/or the Sponsor of an Amendment, and the Amendment is on its way to a committee, you simply may not have the opportunity to offer that Amendment to the Bill. And you may take that into consideration as you plan what Bills you plan to call for the remainder of this day. So, concerning the completion of the budget, the Chair shall call House Bill 6159, Representative Julie Curry. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 6159, has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No further Floor Amendments approved for consideration."

Speaker Madigan: "Place the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Rossi: "House Bill 6159, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Representative Julie Curry."

Curry: "Thank you, Mr. Speaker, Members of the House. House Bill

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6159 contains the budget for elementary and secondary education. This budget was probably one of the most difficult things that I or Members of my committee have faced in the last four years. We've been blessed in this state, as you all know, with extraordinary revenue increases in the last four years. This is the first time in the eight years that I've served in the General Assembly where the introduced amount by the Governor, in terms of what he has allocated for elementary and secondary education, is less than what was appropriated in the prior fiscal year. I'd like the Members to understand what my committee faced as we went through this process. We started with a budget that's \$40 million less than what was appropriated last year. We have a budget where we have some major budget pressures. Included in those budget pressures, is a hundred and twenty-three million dollar increase in what we are mandated to pay the downstate teachers pension fund. So, right out of the box we face a hundred and sixty-three million dollar hole. I will tell you that the budget that we put together for you today is probably going to be the most responsible budget that you will see, because it is based on what was allocated for education and it is based on what reality is. And reality is, my friend, that we have a \$1.3 billion hole in the state budget, in terms of revenue loss. So, as we put together this budget, we took a look at what the State Board of Education had offered, we took a look at what the Governor had offered in terms of what he proposed in his budget address. We quickly realized that there was no one on my committee and no one who came before the committee who was in favor of eliminating the 22 categorical grant programs to the biggest and best programs that we have to

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offer our schools in this state. So, this is what this budget does. It puts back the largest categorical grant programs, that include early childhood development, at what was appropriated for FY02. It includes gifted education, it includes bilingual education, it includes the Summer Bridges Program, it includes the Reading Improvement Block Grant, it includes the money for alternative education, it includes money for vocational education. So, the largest block grants in this budget are restored in House Bill 6159. In addition, this budget takes \$74 million within the appropriated amount and funnels that money into the General State Aid Formula. Now, I can tell you that we've had many discussions in committee in terms of what we should do with the \$74 million in the General State Aid Formula. At first, it seemed logical that we would fund the recommendation made by the Education Funding Advisory Board, which was to put a hundred and twenty dollars into the foundation and keep hold harmless in place. After playing with those numbers and getting printouts from the State Board of Education, we quickly found out that maybe that wasn't the way to go. Maybe what we should be considering, in order to help the poorest of those poor school districts, would be to allow a natural growth in the foundation, continue to fund hold harmless, and place some additional money in the poverty grants to help the poorest school districts in the State of Illinois. I can tell you I've worked with my colleague, Representative Jerry Mitchell, who's the Minority spokesperson on this committee. He and I have met several times to talk about what is the best way to make this process as less painful for school districts in the State of Illinois. This is the budget that our committee has come up with. I don't want

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to give Members the impression that this budget provides additional dollars for education, because it's simply not there. It's simply not there. This budget was put together based on what instructions my committee was given, and that was to work within the Governor's allocation, do the best that we can, don't anticipate any new tax or fee increases and try to do the best that we can for the children of this state. And this is what that budget reflects. I will tell you that should this legislation, should this budget pass the House today and go to the Senate, this will probably be the best vote that most Members of this chamber could ever make for education in this school year. Simply because of the fact that we have no new money for education and that we begin this process with a hundred and sixty-three million dollars less for the classrooms in this state. I'd be happy to answer any questions, Mr. Speaker."

Speaker Madigan: "Ladies and Gentlemen, this Bill is on the Order of... The guests in the gallery are advised that we would prefer that you not offer applause when people speak. Thank you. The Bill is on the Order of Standard Debate. That provides that there shall be three for the Bill and three in response. One has spoken for the Bill. The Chair recognizes Mr. Jerry Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't know how to advise you. There is no good way. My colleague, Representative Curry, I know has lost a lot of sleep over this budget, she has spent a lot of time and a lot of concern with it. It's a very difficult thing that we have to do, but on the handout that you have, you see the differences in the estimates of where we're going to land with this budget. Chicago is going to

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lose \$14 million, other Cook is going to lose \$8 million. The collar counties will lose \$22 million, and downstate schools will lose \$62 million. Now, you can see in your individual printouts what your districts will lose, and I don't know how to advise you, because we have tried. There are various things that we could do. We could've looked at reducing the hold harmless by 5%. We could've looked at putting less money through the foundation level of the formula, which I've preached now for eight years, that the funding formula that was devised to help equalize the amount of money going across the State of Illinois, no longer works for downstate schools. And it's very simplistic. When you have rising property taxes and declining enrollments, the algebraic formula that was devised by Alan Hickrod and Ben Hubbard simply says you don't need state money, therefore you get less and that's what's happening, that's the phenomenon downstate. No one realized back in 19... in the 70's that we would have the phenomenon of the migration of Illinoisans to the suburbs, but it's happened. I guess the less painful losers in this budget, would probably be the south suburban area that still has rising enrollments and stabilized property taxes, because of tax caps. So, that's where a lot of the money's going. When we looked at taking 5% of the hold harmless, and we looked at reducing the foundation level and putting that in a category or either in the AEA block grant or back in the categoricals, we looked at what it would do with the categoricals. Now, we're going to fund the categoricals, and Julie, correct me if I'm wrong, at approximately 86%. So, we're back to prorating of the categoricals. When we put the money together from making the other cuts, it came out to about 25 million to 40 million, somewhere in that

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neighborhood, but it would only raise the categorical reimbursements 2% to 88%. We are dealing with an enormous amount of money, but we're also dealing with an enormous hole in the budget. Everything that we did put a little bit more money for one area, a little less money from another. I'm sure that this is not over. I'm sure the Senate will have their version. I don't know that this is the best that we can do for education. I know our side of the aisle has looked at many things, too and we chose not to offer an Amendment, because it's probably the most difficult part of the budget to deal with. I am... I actually applaud my colleague, Representative Curry, for the hard work that she's done. I'm not happy with it. It's as frustrating as everything else we have to do this year. There just simply is no money. Vote your conscience. Vote your district. Look at the printouts that you have. That's the only advice I can give you. Thank you, Mr. Speaker."

Speaker Madigan: "Once again, the Bill is on the Order of Standard Debate. Two people have spoken for the Bill. The Chair recognizes Mr. Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I, too, rise to echo that Representative Curry should be commended on her hard work and leadership on this particular difficult budget, the budget of education. Let me just say that I was also reluctant, as well as my colleague just spoken, because I wanted to... to make a wrong right in the education budget by trying to make sure that the Chicago School System Pension Retirement System get their just due in this piece of legislation, to bring it up to the par with the downstate community retired pension system. But, however, realizing the realization,

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the deficit in the budget, no new revenues for education, there's a reality here and you have to make some concessions. And I truly believe that what we have done in the House of Representatives, especially with this piece of legislation, we have kept some of the most critical and most important programs a part of this education budget. Now, we had to reduce some of those programs at a small percentage, but however, we were able to keep the whole program. Our Governor, as many of you know, proposed to cut a lot of those programs, especially the categorical out, the 22 various programs. And so we were able to come up with a consistence... a consistence with the whole committee to say we... first of all, we want to keep the categoricals and of course, make sure the majority of those are funded. And so with that alone, I believe in this budget. I think every Legislator in this... in this particular chamber here, can look at the realization and know that there's a deficit, that there has to be some cuts on all levels, but however, we went the humane way. We decided not to just cut out everything. We decided to keep a lot of those programs. And so on that alone, I urge all of our Members to vote 'aye'. And once again, Representative Curry should be commended on taking that leadership. Thank you."

Speaker Madigan: "Ladies and Gentlemen, the Bill is on the Order of Standard Debate. Three people have now spoken for the Bill. Is there anyone who wishes to stand in response? Is there anyone who wishes to stand in response on the Bill? Mr. Black."

Black: "Thank you very much, Mr. Speaker. I just have a question or two of the Sponsor, if that would be permissible at this time."

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Speaker Madigan: "Sponsor yields."

Black: "Thank you very much. Representative Curry, not to be redundant, but obviously, I know the hours that you and your colleagues on the Appropriation committee have put into this and I know what a difficult job you have been faced with this year. Given that fact, however, let me ask you just a few questions that I don't understand in taking a quick look at this. If you would look at the retirement contributions, there is a change from the Governor's proposal to your Amendment of approximately \$7 million. And that's \$7 million less than the Governor's introduction. What I... what I need... what I wanna focus on, does with that cut, does it still meet the statute requirements, the statutory requirements to fund the retirement system, the ITRS system at the actuarial level?"

Curry: "Representative Black, the number that's contained in that Amendment is based on information provided to us by TRS."

Black: "All right."

Curry: "So, I would hope that they would give us accurate information so that we could fund them adequately."

Black: "And that was the only concern I had, Representative, because as you know we cannot alter what is required by statute."

Curry: "Okay. I agree."

Black: "So, you're telling me that that meets the actuarial requirement on the continuing approp..."

Curry: "I'm telling you that to the best of my knowledge..."

Black: "All right."

Curry: "...that it does and that again it's information that was provided to us by TRS."

Black: "I appreciate that. When you look into that rather large figure, you get into the Teacher's Retirement Insurance

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Program, as you know in serious financial difficulty. It's very hard to extrapolate these figures to know whether or not we're funding TRIP for a four-month period in '03 or a six-month period or is it estimated that we can get through the year with the appropriation levels that we see in this proposed budget?"

Curry: "This legislation, Mr. Black, honors the commitment that we made in the Fall Veto Session. And again, the figure that is provided in the Amendment, or in the Bill, reflects what we believe would adequately fund the health insurance program for downstate teachers. Now, if we move through this process and someone could tell me that the information is not correct, ya know, we're happy to try to adjust those numbers, but this is all based on information that's been provided to us. It's nothing that we created on our own, but I can tell you again that it honors our commitment that we all made last fall."

Black: "I appreciate that and I won't ask you to project whether or not that program will be in fiscal trouble before '03 runs out. If it is, I assume that all of us will deal with it at that time. Let me just ask you one additional question on the categoricals. If I'm counting correctly, it appears that 13 categorical programs will receive no specific funding for FY 2003, am I correct?"

Curry: "You're correct."

Black: "Under this proposal, would a district still be able to take funding for a categorical grant program? We'll just use one that is on everybody's mind, the Early Childhood Development Grant Program that appears, as the Governor said a few days ago, will be funded at approximately a hundred and eighty million dollars. Will... would an individual school district, under this budget proposal, be

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able to shift any funds from those categorical programs that are receiving money to another categorical grant program that that locally elected school board would deem more important to that district or will they only be able to spend it on the grant program that has an appropriation?"

Curry: "Well, I mean, this is the way I would answer your question. If a school district received money from the Early Childhood Development Block Grant for prekindergarten services parental training programs, that money has to be specifically used for those purposes. If they're not receiving money for some other reason, they can't use that money for other purposes."

Black: "That would be my understanding. In other words, they would not be able to treat these nine grant programs that you are funding in this proposal as a block grant and move it around."

Curry: "That's correct."

Black: "All right, that... that answers that question. The only other question I have, and it's simply a philosophical question? The Cory H compliance settlement, as ordered by a federal judge, has a zero line item."

Curry: "Right."

Black: "Does that mean we go back to court or do we just wait until we hear from the federal judge?"

Curry: "Representative Black, with that line item and some of the other ones that were eliminated through this process, each year the State Board of Education puts in their budget, I think at one point it was a million dollars, they're not even spending up to what was allocated. And we've been putting this money back every year. They're not spending it, it's not necessary. So, when the committee went

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through this painful process, ya know, we immediately went to those areas where we could grab some money. And you know, if they're not spending the money for compliance, in terms of... if I'm correct, that money goes to pay for legal services and whatnot. If they're not using that money because we're not in court anymore, then it would be an easy place to eliminate it. And that's what we've done. They have not been expending what they've been allocated."

Black: "Well, Representative, again I congratulate you and all Members of your Appropriation Committee. I know the hours and hours that you have spent on this budget. I know how difficult it is. I won't go over what Representative Mitchell has already said. In a very severe budget crunch, I think you've done the best that you can do, given the dollars that we have. Obviously, some districts fare better than others, but it's been that way for as long as I've been here. I have taken a quick look at it, I know how hard you've worked on it and I know that this isn't an easy situation for any of us to be in. But, I do thank you for your forthright answers and certainly thank you for your hours and hours of work, and to produce this, which I know you're not packaging as the solution or a blue ribbon budget. It's a realistic document in light of a very serious budget problem. Thank you for your work."

Curry: "Thank you."

Speaker Madigan: "Representative Curry to close."

Curry: "Thank you, Mr. Speaker, Members of the House. I appreciate the comments that were made from the other side of the aisle. This again, has not been an easy process for me or for the Members of my committee. But I can tell you it's been an open process and it's been one that everyone has been able to participate in. There hasn't been a time

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where we haven't asked or a Member hasn't been able to come to me or my colleague, Representative Mitchell, and be able to offer us ideas or suggestions in terms of what we could do to make this better. The budget you have here today, is again, one that reflects reality. If you believe that you can't vote for this budget because it doesn't put new money into education, then my friends, you better be prepared to do something different as we move through this process. This has been a very, very difficult time. We are still in the process of trying to put something together that in my opinion we should try to help those school districts who need the most help. And that's why we put some additional money into the formula and we will continue to work with our colleagues in the Senate to try to do the best that we can. But without new dollars and without a way to fill this big gap that we have in the education budget, and frankly, will grow every year, we have no choice to do what we have done. Now, I will tell you that some of the cuts that we have made from those 13 nondiscretionary grant programs, in my opinion some of those cuts should've been made years ago. One of the things that we have been able to do is really take a hard look at this budget and cut out as much fat as possible and redirect that money to the classrooms. That's what I think that this process should be all about. Now, I can only hope that and pray that once this budget leaves this House that we can find other resources to restore the money to the mandated categorical programs and to put more money into great programs like Early Childhood Development. But until those resources are identified, this is the budget you have before you today and it may be the very best education budget that we have to offer you in this legislative Session. I would ask for

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your thoughtful consideration and your 'aye' vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Three... Two people have not voted. The Clerk shall take the record. On this question, there are 56 'yes', 61 'no'. Chair recognizes Representative Curry. The Bill, having failed to receive a Constitutional Majority, fails. Mr. Mautino, did you wish to call House Bill 4979? Mr. Clerk, what's the status of the Bill?"

Clerk Rossi: "House Bill 4979, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Mr. Mautino."

Mautino: "Thank you, Speaker, Ladies and Gentlemen of the House. This is the Appropriation Bill for the appellate prosecutor, and the Amendment which was added reduces this Bill to the fiscal 1992 level. It appropriates \$4,697,200 towards the operation of that offices and I'd appreciate any... an 'aye' vote and also answer any questions."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. There being no discussion, the question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 90 'ayes', 26 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6056. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 6056 has been read a second time,

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previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Madigan: "Representative Davis."

Davis, M.: "Thank you, Mr. Chairman. House Bill 6056, the budget for the Department of Public Aid, was one of the most difficult budgets to craft, because we're dealing with human life. The changes..."

Speaker Madigan: "Representative, just one second, please."

Davis, M.: "Certainly."

Speaker Madigan: "Mr. Clerk."

Clerk Rossi: "Rules Report. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 5, 2002, reported the same back with the following recommendation/s: 'to the floor for consideration' Floor Amendment #3 to House Bill 3708, Floor Amendment #1 to House Bill 3982, Floor Amendment #2 to House Bill 4118, Floor Amendment #1 to House Bill 2211, Floor Amendment #4 to House Bill 4411, Floor Amendment #1 to House Bill 4444, Floor Amendment #1 to House Bill 4618, Floor Amendment #1 to House Bill 4898, Floor Amendment #1 to House Bill 4899, Floor Amendment #2 to House Bill 4975, Floor Amendment #1 to House Bill 4999, Floor Amendment #2 to House Bill 5596, Floor Amendment #2 to House Bill 5631, Floor Amendment #1 to House Bill 5685, Floor Amendment #2 to House Bill 5789, Floor Amendment #1 to House Bill 5848, Floor Amendment #1 to House Bill 5868, Floor Amendment #1 to House Bill 5911 and Floor Amendment #2 to House Bill 6056."

Speaker Madigan: "House Bill 6056. Representative Davis on the Amendment."

Davis, M.: "I believe that Julie Hamos has a... you want to go

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with Amendment 1? Amendment 1 that came out our committee last night, it restores \$123 million for out-patient rates to hospitals, which were cut in the fiscal year 02 budget, 33 million to eliminate all co-pay increase initiated in the fifth... I'm sorry, fiscal year 02 budget and further recommended in the fiscal year 03 budget, 27.6 million to fully restore all critical hospital adjustment payments. They were cut in fiscal year 02. And I... that completes our Amendment #1."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Hamos."

Speaker Madigan: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #2 adds \$76 million for practitioners who agree to accept Medicaid clients. This was inadvertently left off of Amendment #1. The committee did discuss it and agree that this should be included as part of our final package. Thank you."

Speaker Madigan: "The Lady offers Amendment #2. Those in favor say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Rossi: "House Bill 6056, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Representative Davis."

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Davis, M.: "Thank you, Mr. Speaker. With the adoption of House Amendment #2, rates paid to practitioners and other noninstitutional services will be restored \$76.6 million. The total restoration is 260,200,000 in gross General Revenue Funds above the Governor's introduced level of 5,004,601. I know that's wrong. It's 5 billion, but that's okay. We urge an 'aye' vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. The Chair recognizes Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I certainly have an understanding from where the Lady comes from as far as these add-ons that she's speaking of here. But the problem is, for those of us that have been involved in this budget process, we're really perpetrating a cruel hoax on those people that thinks that these dollars are going to be able to be restored. If we're gonna be talking about making these kind of add-ons, then let's talk about where you're gonna be making cuts in other parts of government. Because the reality is, we cannot do this under the present scenario. For those people looking in terms of where dollars are coming from, just yesterday as we said in the budget briefing, we're looking at a hundred and forty-nine million dollars less, last month than we did the prior year. Not from the budget, but from where we were last year. The month before, \$89 million below, \$91 million the month before that, a hundred... and even in the months that were good, we didn't see these kind of revenue streams. We have a hole that's well in excess of a billion... a billion dollars. And now, here we are talking about add-ons, well in excess of \$400 million and I can understand this... the under... the sympathy for what's going on here, but what

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we're doing is not responsible. We're not standing up for what we're going to have to accomplish in this Spring Session. And to do this add-on and send this message is certainly not a responsible action by the Members of the General Assembly. I just have to stand here and say, you know, if you want a Roll Call, we had an agreement with the Democrats, we were going to pass these budgets out at the Governor's introduced level. But instead, this gets put aside and we are all here standing looking at these kind of add-ons simply so you can do press releases and run them into people's districts and say that we're not understanding. We are sympathetic to these people's needs, there's no doubt about that. But you're not sending a responsible message to the people of Illinois and we're not really being realistic with these providers in making these kind of decisions. I know that a lot of people are gonna stand here and say that, you know, here we are big, bad, mean. But the reality is, you're doing this for a press release, good luck."

Speaker Madigan: "The Bill is on the Order of Standard Debate. One person has spoken for the Bill, one person has spoken in response. The Chair recognizes Mr. Righter."

Righter: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Righter: "Representative Davis, in looking through some of the papers we have on the Amendment or on the Bill, first I want to ask a question about the vehicle that we're using. It's my understanding from the information I have, that the vehicle for a Department of Public Aid appropriation Bill is the Legislative Audit Commission."

Davis, M.: "We are using, I imagine it was a shell Bill."

Righter: "Well, that's fine. But doesn't the shell Bill have to

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relate to the Amendment that's put on?"

Davis, M.: "All appropriation Bills are germane to each other, Representative. All appropriations are germane to each other. In other words, the subject matter agrees if it's an appropriational Bill."

Righter: "So, the shell Bill... the underlying Bill then is a appropriation for the Legislative Audit Commission?"

Davis, M.: "No, but it is an appropriation Bill."

Righter: "For... appropriation Bill for..."

Davis, M.: "In this case, it's for the Department of Public Aid."

Righter: "Well then, may... perhaps my information is wrong. But my information is the underlying Bill 6056 was a shell Bill for the Legislative Audit Commission. Is that not right?"

Davis, M.: "That is correct. Well, I'm not sure if... I'm... you know, I don't know. All I know is that the shell Bill, the shell Bill is another appropriation Bill, which means it's germane to the subject."

Righter: "Mr. Speaker, point of inquiry."

Speaker Madigan: "Mr. Righter, Mr. Righter."

Righter: "Yes, Mr. Speaker. I wonder if I could get some guidance on the issue that I've discussed here briefly with Representative Davis."

Speaker Madigan: "I think Mr. Tenhouse is coming back to talk to you."

Righter: "Thank you."

Speaker Madigan: "In the meantime, the Chair will recognize Mr. Hannig."

Hannig: "Yes, thank you, Mr. Speaker and Members of the House. Just to... first of all, I think help answer the question is that appropriation Bills are germane to each other and it's been common practice as far as I've been in the Illinois House that we would use a... an appropriation Bill

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for any other subject as long as it was appropriation and in fact, we've sometimes seen the whole budget come back on one appropriation Bill. So, I think that's what the issue is there. But I rise to support this proposal today. It wasn't that long ago that Members in this chamber were on their feet debating a Bill and telling the Members of the Appropriation Committee that we need to go back and look at each and every one of those lines in those budgets and that we need to make some determinations as to what other priorities that we stand for in the Illinois House. And we did that. We had committee hearings and we listened to the advocates. We listened to the opponents. We heard out everyone and anyone who wished to be a part of the process. The Committee... the Appropriation committees worked. Now, I think it's a little ironic that in the previous Bill the Chairman of that committee, Representative Currie, choose to try to work within the Governor's parameters and we saw that there was no support for that Bill, when it got to the House Floor. Now, the Members of the Human Services committee and the Member of the Public Services Committee have decided that it is very important that we stakeout some parameters, that we find some programs today, that we think are important enough that we should fight for, that we want to send a message to the Governor and to the Senate that these are programs that we think need to remain in this budget as we go through the process. So, we have set some priorities in this budget. We haven't restored every program that the Governor has taken away. Many of them are going to be... people will be coming to us saying 'well, what about us? Why didn't you restore us or why didn't you put money in for our program?' We understand that we're in a difficult economic time. We admit that we cannot fund

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everything that we would like to in State Government, but we believe that it's important that we stand for something in this House and these programs that will be in this Bill and in the Bills to follow, we feel are important enough to make a priority and that we begin the process of debating with the Senate and the Governor at that point. So, that's what the process is about. The Appropriation Committees have done their job. These Amendments were adopted in committee with Republican and Democratic votes and I would ask that the Members of this Body, send these proposals to the Senate so we can continue to find a... so we can continue to fight for these priorities as the process goes forward. Thank you."

Speaker Madigan: "Ladies and Gentlemen again, the Bill is on the order of Standard Debate. Two have spoken for the Bill. One has spoken in response. The Chair recognizes Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill and I do this with some kind of concern as to the message that this type of action is sending to the people of the State of Illinois. For several years, we've had an extremely excellent economy in this state. Those of us in the General Assembly have worked hard to tend to the needs of Illinois citizens in all directions, whether it's in service in the mental health community, people that need our assistance in the nursing homes and hospitals. And we responded in this General Assembly. And with all of you in this chamber, I stood with pride to support programs that would tend to the needs of our citizens, including our seniors and prescription drugs and single-parent families in day care, expansion in education, to continue the movement of

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Illinois as a great state in this Union. This Amendment sends a message that is one that people may interpret as easy for us to do in restoring cuts. But yet, disingenuous in the sense that along with it, it does not have available revenue. This Amendment has a cost of \$270 million to it. Now, let me put all of this in prospective, what we're being called upon today to do. And by the way, primarily, by the Democrat side of the aisle, because we certainly do not subscribe to the action being taken today. We, in turn, would have preferred that our committees work in a real sense, line item, by line item. Working day and night if necessary to review all the budgets, every budget, to make sure that every citizen in this state understands that we mean their best interests to always be taken into consideration. But there was a decision made, just to add these amounts back into the budget. It'll total somewhere around \$496 million. Now, in a \$53 billion budget, that's not an overwhelming amount. Except for, when you then take into consideration where we are. As Representative Tenhouse said earlier, we are \$800 million down from the Governor's introduced budget, which as every Member of this chamber knows that that budget cut a number of services. There's no one in this House that doesn't want to add back those cuts. There's no one in this House that doesn't want to tend to the needs of our seniors, or our needy population, of single family, single-parent families, of our schools, education, roads. Everyone in this chamber has the best intentions in mind. Except for what this has done, is taken away from this chamber from our Members, the real opportunity to work in a real sense to devise a budget that meets the needs of Illinois citizens within a responsible fashion. So, you add the 496 million that of

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what we're asking by the Majority Party to do today, were it to take place, you get to \$1.3 billion. Now, what do we have left over when everything is said and done? You've got a \$1.3 billion need for new revenues. Do you have a plan for that? If you do, we haven't heard that plan. Some people'll say, 'oh, Representative Tenhouse, just vote for an increase in the cigarette tax.' That's a 25 cents a pack, we could put on real easy. What does 25 cents a pack that cigarettes generate for us in new revenue? It generates \$150 million. You can't say, do 75 cents multiply it by three, because you have a falloff in purchasing. Even if a cigarette tax increase in it's best extent, if you put on 75 cents or a dollar were to generate \$400 million, you're still \$1.6 billion down from the action you're taking today. Because you're not gonna want to leave here with an end-of-year balance of \$250 million because we don't know what's happened to the economy of this state. You're looking at a \$2 billion need. So, what's this action do today? You're taking an action that you're saying, this will make us feel good, because we could tell people back home, 'oh, we did something great for you.' You didn't do that. You portrayed false hope. You could say, 'well, we're gonna deal with this later on in the Session, move it over to the Senate.' The Senate doesn't want this Bill. They don't want these add-ons. The Senate's willing to continue to sit down with Appropriation Committees, with your appropriation people, with our appropriation people, and theirs, and continue to work on this. In the light of day, if it takes 24 hours a day for the next six weeks, so what? That's what we're paid to do. I have found that people in this chamber willing to work whenever that work is necessary. You're

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not gonna shy away from your responsibility, Republicans or Democrats. But this is the time when we're gonna be called upon to be the best that we can be, to do the right things for all people of Illinois, to review every program, to make sure that we don't turn our backs on, on the minority population or on women or on children or the disabled or to give every person the opportunity for the American dream and hope. And that's what we're being called upon to do. This isn't the right way to do it. On this side of the aisle, we'll spend all the time necessary to do the job in the right way, but this isn't the way to do it. Now, I'm reluctant to vote against this because, yeah, every time you cast a 'no' vote around this place, somebody says, 'oh, you're against this or you're against that or you didn't do this or you didn't do that.' Oh, it's so much easier to cast a 'yes' vote, walk out of here and say, 'oh boy, don't we feel better now? Did we do the right thing?' No, you cast a 'yes' vote on this, you go home and remember this, you didn't solve a thing. You didn't even send the right message. What you told people is once again, you don't really care. You're just going to add Amendments that aren't gonna get through, that aren't dealing with the problem, that don't handle the priorities of spending that this state must adopt in all of its budgets. I, for one, speak on behalf of 56 Republicans that want to work with you to craft the right budget. We will do that, not in a partisan way, but in a bipartisan way, to get the budget that we need to have at difficult times. Don't vote for this. But if you have to, remember, you're sending a bad message to the people that in this Amendment, you're pretending to serve."

Speaker Madigan: "All right, Ladies and Gentlemen. Once again,

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the Bill is on the Order of Standard Debate. Two have spoken for the Bill, two have spoken in opposition. There will be two more speakers. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Black: "Representative, in going through this as quickly as possible, correct me if I'm wrong, there is no increase to long-term care providers. As I read this, in fact, there is a cut to skilled and intermediate care for our nursing homes, which is the word that we would know, rather than long-term care. Is that correct?"

Davis, M.: "Representative, that is correct. They are working with the Governor on, you know, negotiating with the Governor."

Black: "Okay, all right. I just wanted to make sure that I wasn't incorrect. I appreciate your forthright answer."

Davis, M.: "Yes."

Black: "Mr. Speaker. Mr. Speaker, could I make a parliamentary inquiry of the Chair?"

Speaker Madigan: "State your inquiry."

Black: "Pursuant to Rule 64, on an Appropriations Bill, is it permissible to divide the question on any given line item in the Bill?"

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker, and in response to your inquiry, this... the question of division of the question relates where there may be more than one Motion pending before the House. In this case, there really is one Motion and that is to pass the Bill on Third Reading, therefore, the question is not divisible."

Black: "All right. All right. I thought it was worth a try, Mr.

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Speaker. Mr. Speaker, to the Bill. And again, I won't be redundant. I know the hard work that's gone into this and I know the difficult decisions that we are faced with. But there's one thing in particular that jumped out at me on this Bill and that is, we did not zero out travel. Now, I know zeroing out travel expenditure in this budget is not gonna solve all of the budgetary problems that we have. But I do think as Leader Daniels said a few minutes ago, one of the things that we, we could and perhaps should do by working extra hours, is to look at those kinds of items in every budget that may not be of vital importance to the people served by this agency's budget. I think in a very difficult fiscal 2003 budget year, that we all know we're going to be faced with, I really question as to whether some of these items that seemed to just grow, exponentially every year. I don't know why we'd have to pay any travel budget or allow any travel to be reimbursed in agency budgets for fiscal 2003. The Speaker, if I may be so bold, some some years ago, and I applauded him for the effort. I applauded him publicly. It used to be that all of us could, could utilize a few hundred dollars if we wanted to go to a legislative conference, be it the Council of State Governments or ALEC, the American Legislative Exchange Council or the National Conference of State Legislatures. The Speaker sometime ago said 'no', we would not access any public dollars to travel to legislative conferences. You would either pay for it out of campaign funds, if an opinion would be rendered that that was a legitimate use of campaign funds or you would pay for it out of your own pocket. And I didn't quarrel with that then, I certainly don't quarrel with it now. But as we continue to try and put a budget together, that's just one example of a line

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item that I think we should be very very stringent on and that is travel within any agency's budget. Having said that, again I compliment the people who work long hours trying to put together a budget in what will be the most difficult year in the 15 or the 16 years that I've been here. I know it isn't going to be easy and I hope we don't misinterpret votes and what is said. There'll be some of us who agree with these budgets as introduced. There'll be some of us who don't agree with these budgets as introduced. But I hope we all remain committed to the end product and that is a budget that will serve the needs of the people of Illinois as best we can, given the ever shrinking resources that we will have to spend in the next fiscal year. Thank you very much, Mr. Speaker."

Speaker Madigan: "The last person to speak for the Bill will be Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. To the Bill. As Minority Spokesman of Human Service Appropriations, I've sat through many hearings the last two months and listened to the people of Illinois come before us. Although I don't disagree with my Leader on this, I disagree with how we're going to go about it. We've spent two days from Members of the committee going over the additions in this budget. I personally feel the budget of a state should reflect the values of its people. I think the people I represent have values that say we should take care of the poor and the people that cannot take care of themselves. We should not injure the infrastructure of Human Services so much that it will not recover, particularly where it goes towards children, hospitals, doctors that take care of them, doctors that will no longer provide Medicaid services under the budget that we currently have. We all know that this

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Bill is not going to be the Bill that ultimately passes. But what our committee and many of the Members that worked on marking this up and changing it, the statement that they made was, we know we won't be there at the end but what we want is we want to say in what's on the table at the end. We think this reflects the values of the people of our state. We want these things strongly considered. We don't care where else you make cuts. Some of us may or may not be interested in any revenue enhancements, but we want these things looked at at the end and we want them looked at strongly. Many of the Members of the committee felt this was very important. And we discussed this for two days on what we were going to do. It is not out of disrespect to my Leader or to anyone else in this Body or to the people of Illinois that we are adding. What we are doing is we are sending a clear message saying, we feel the value of the people that we represent want us to protect people that come to the Human Service Departments of Illinois for services. And that we are willing to do that and put ourselves on the line for that. I think I can justify this in my home district. I've gotten many calls. I sat through eight hours at the Thompson Center listening to people who will lose how to get up in the morning and get dressed, how to be able to go to work because they won't have personal attendants, how their children won't be taken care of, how they can't go to work because their mom won't have somebody that comes to them for diapers. Not only this is not all in this Bill, but I think the Department of Public Aid, and Medicaid and many of the issues in this Bill also reflect matching Federal Funds, which I don't think were taken into account when we made cuts. I want the Leaders to get a message from the Members

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of our committee that we talked about that this should be part of the mix at the end and that's what we want. Remember, this reflects the values of the people that we represent."

Speaker Madigan: "The question is, 'Shall this Bill pass?' For what purpose does Representative Davis seek recognition?"

Davis, M.: "Mr. Speaker, I was just gonna close."

Speaker Madigan: "Please."

Davis, M.: "And state that for over four weeks in the City of Chicago, hearings were held. Members of the Human Service Appropriation Committee attended those hearings and I know that the disabled who attended those hearings, senior citizens who attended those hearings, some from 10 a.m. until 6 p.m. in the evening and some that I hear opposing this budget at this time never came to one hearing. I urge an 'aye' vote."

Speaker Madigan: "The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Bradley, Capparelli, Mathias, do they wish to vote? The Clerk shall take the record. On this question, there are 67 'ayes', 48 'noes'. This Bill, having received a Constitutional Majority, is hereby declared passed. The Chair recognizes Representative Stephens for the introduction of a distinguished guest. Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. We want to give a big welcome to United States Congressman, John Shimkus of Collinsville and his intern, Ryan Tanner. Congressman Shimkus."

Speaker Madigan: "House Bill 6067. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 6067 has been read a second time,

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previously. No committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Madigan: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 6067 is the Department of Children and Family Services budget, and we passed that out of committee at the Governor's introduced and request level."

Speaker Madigan: "The Lady moves for the adoption of the Amendment. Those in favor say 'yes'; those opposed say 'no'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Put the Bill on the Order of Third Reading and read the Bill for a third time."

Clerk Rossi: "House Bill 6067, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Representative Davis."

Davis, M.: "Okay. This, this Amendment keeps this particular budget at the Governor's introduced level. The Governor asked the Department of Children and Family Services to reserve \$4,755,200 of its appropriation. The Department accommodated the reserve by increasing spending from the Childrens Services Fund. And that's it. That's it. I just urge an 'aye' vote."

Speaker Madigan: "The Lady moves for the passage of the Bill. The question is, 'Shall this Bill pass?' Those in favor signify by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Mr. Parke. Does Mr. Parke wish to vote? The Clerk shall take the record. On this question, there are 107 people voting 'yes', 10 people voting 'no'. This Bill, having received a

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Constitutional Majority, is hereby declared passed. House Bill 6071. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 6071, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Madigan: "Mr. Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm sure Leader Daniels will be pleased with what we've done with this budget for Prairie State 2000. We actually cut it by almost \$4 million. Actually, the... we... Amendment #1 deletes \$2,250,500 for Employer Training Assistants Grants, and \$1,210,000 for Individual Training Assistant Grant. For a total reduction of \$3,460,000 below the Governor's introduced level. I'll be glad to answer any questions."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor, signify by saying 'yes'; those opposed by saying 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Put the Bill on Third Reading and read the Bill for a third time."

Clerk Rossi: "House Bill 6071, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. I just urge 'green' votes on House Bill 6071. Thank you."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by saying... by voting 'yes'; those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Does

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Mr. Marquardt wish to vote? Does Mr. Steve Davis wish to vote? The Clerk shall take the record. On this question, there are 109 people voting 'yes', 8 people voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6083. Mr. Clerk, what is the status of the Bill?"

Clerk Rossi: "House Bill 6083, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Madigan: "Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. House Amendment #1 to House Bill 6083 for the budget of the Department of Correction. It adds \$23 million for the purpose of keeping the Vienna Correctional Center open. It adds \$8 million for the purpose of keeping the Valley View Illinois Youth Center open. It adds 6.9 million for the operations of the Crossroad Adult Transition Program, and removes the privatization of the dietary service and returns it to the responsibility of the Department of Corrections employees. Amendment #1 represents the \$74 million general revenue increase from the Governor's introduced budget. It goes from \$1,289,662,800 to \$1,363,782,568. The... I'd be glad to answer any questions on Amendment #1 to House Bill..."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. The Chair recognizes Mr. Tenhouse. Mr. Tenhouse, did you withdraw? Okay. Those in favor of the Amendment say 'aye'; those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Madigan: "Put the Bill on the Order of Third Reading and

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read the Bill for a third time."

Clerk Rossi: "House Bill 6083, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Madigan: "Mr. Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. I'm gonna ask that the Members vote for this Bill. I know that we've... did not keep at the Governor's level on this. And there's one comment I'm gonna make, just so that we can cut through the rhetoric on this. Just as Representative Monique Davis said that we spent four weeks of hearings back in the City of Chicago and I want to compliment the Members of my committee for the hard work that they put in to try to craft a budget for the Committee on Public Safety. I want to commend Representative Pankau for all the work that she's done. But it does disturb me when comments from the other side of the aisle that try to paint that this is all a democratic process. I would just advise the press to get the Roll Calls from committee. These Roll Calls were not partisan, they were bipartisan. Republican Members joined Democratic Members to send a message to our Leaders that we want to prioritize what they fight for at the table, not what they prioritize. So we all know that this is not the final product. We have six weeks to go in the legislative Session, but it's the duty of the Members of the General Assembly to send a message to the people that we elected as our Leaders, that if they want to be our Leaders, then they have to follow our recommendations. So, I think my Leader on this side of the aisle, Leader Madigan, I know is gonna follow the recommendations of the Committee Chairs of Appropriations on this side of the aisle. I just hope that on the other side of the aisle you get the same response from your Leadership. I urge 'green' votes on House Bill

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6083."

Speaker Madigan: "Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. And I don't think it's a question as far as a message received. I think we all realize how important the Department of Corrections is and certainly for those of us who have those facilities. But again, when you talk about reprioritization, what are you reprioritizing... reprioritizing is what I'm trying to say here. Where are you gonna come up with the \$74 million? We really don't have a plan. I mean, show us the plan. Show us what's going on? Where's the 74 million? Where are you gonna cut it out? And that is really the issue. One of the... and it comes back to what our agreement with the House Democrats when we started this budget process. Mentioned before, we'll go through it again. That agreement was, when we passed Bills out of the Illinois House to the Senate and from the Senate to the House, they were going to be at the Governor's introduced level. And I'd... I agree 100% with what Representative said here as far as reprioritization, but do it and show us that reprioritization. Show us where the \$74 million is going to come from. I of anyone, I've got at present in my district, two work camps and I certainly do not want to see privatization. I stood high on that Bill, too, but let's be realistic. You can't make this work unless you come up with a way to show where these dollars are going to come from. It's not responsible. And that is really the issue that we have to step up and look at. We look at these revenue figures, they continue to drop. The hole is much worse than it was when the Governor introduced the budget, and I look at this and say 'fine.' Again it's a great

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press release, go ahead, you've got your press release, you can go ahead and run it in the districts. But the reality is, this is a cruel hoax, a cruel hoax, that you're putting out to the AFSCME members. So, if that's what we'll find, you know, we can... you can put it up on the bulletin boards and go through it, but the reality is this is doing nothing to solve the budget crisis of this state. Ladies and Gentlemen, I urge you to vote 'no' or 'present' on this Bill. If you want to send a message, let's send a message that we're gonna be responsible. That if you want to reprioritize, let's reprioritize. But you're not doing it by this type of an action."

Speaker Madigan: "Mr. Tom Johnson."

Johnson: "Sponsor yields?"

Speaker Madigan: "Sponsor yields."

Johnson: "You know, I understand the reprioritization process and so on. I am going to support this legislation today and I'm gonna do it on this basis, that what we have here is a closing of two facilities, Vienna, as well as Valley View. And I believe that, you know, it's one thing to turn around and say you're going to close some state facilities, but I want to keep this alive and keep it in process, because I believe that those facilities, we need to think in terms of the overall picture of prison reform and the potential use of these facilities and I've heard nothing of that. I believe that there are other options for these two facilities, that do not require just the total closing. I believe that those facilities up close to the urban areas, for example, need to be kept and integrated into the corrections system as transitional centers close to the urban areas. We have a dire need for transitional centers close to where most of our inmates are released to. Now,

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whether Corrections and its own budget, or whether other agencies such as SAFER and so on, were to assume responsibility for transition, these facilities ought to be looked at and not just based on a total closing. Vienna, as we all know, is very close in proximity, in fact, on the same property as Shawnee. The potential there for unions and business and community colleges and others to start looking at a job training facility, that is a private, public partnership ought to be looked at. And I'm suggesting that these two facilities need to be added back into this budget, until such time as we hear. And we put some thought into how else can these still be used to facilitate the needs and the dire needs of cutting the recidivism rate of this state. And it's easy for us in here and I've seen an awful lot of cuts in Corrections. And in Corrections, it's an easy thing for us to do. Just cut those Corrections budgets, because those are prisoners. Throw away the key, lock them up, forget about them. And I believe that Corrections is taking an undue hit and I believe that as we prioritize these budgets, we have to be sensitive to not just Corrections' budgets and all the rest and for that reason, I believe that we need to send a message here to keep prioritization between the different agencies and not just make these ad hoc cuts, where in fact we haven't thought through that there might be some other way that these things can remain as part of a vital process of reintegration. Thank you."

Speaker Madigan: "The Bill is on the Order of Standard Debate. Two have spoken for the Bill. One in response. The Chair recognizes Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

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O'Brien: "Representative Morrow, I had... just have a question. You talked about reinstating Vienna and the youth center. What about Joliet? I missed your comments on that."

Morrow: "Representative O'Brien, we did not restore Joliet."

O'Brien: "Okay. And the privatization of all food service that's all been eliminated?"

Morrow: "It's been eliminated."

O'Brien: "Thank you."

Speaker Madigan: "Mr. Morrow to close."

Morrow: "Yes. Thank you, Mr. Speaker. You know, we the General Assembly created this crisis within DOC. And you might say 'how'? Well we passed all these Bills to lock up people, because big business in the State of Illinois was locking people up. That's why small towns bid vigorously when we were building a prison every year, because it was economic development. So the General Assembly passed laws to get tough on crime. Why? Because to build a prison, you got to put somebody in it. So, we have inmates in there for simple drug possession that should be in a drug abuse program instead of incarcerated. It would have been cheaper to put them in a drug treatment program than to incarcerate. But no, somebody had to make money. So now, we're in a budget crisis. And it's easy to say, let's close the prisons, And I'm not supporting this Bill because of ASFME, I'm supporting this Bill because I didn't want to put prison guards in a dangerous situation, when you now close prisons and transfer prisoners, and overcrowd already overcrowded prisons and create a dangerous situation by having increased inmate to guard ratios. But like I said, we created this. We created this, by being tough on crime. Well, as I've always said in my 15 years of being down here, it's easy to vote for Bills that fly

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out of here 118 to 0. But you're elected and sent down here by the people of the State of Illinois to make the tough decisions. So, today is the day of tough decisions. And we'll see what you're made of today. Quick 'green' votes on 6083."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye'; those opposed vote 'no'. Have all voted who wish? The Clerk shall take the record. On this question, there are 92 'ayes', 20 'noes'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6084, what is the status of the Bill?"

Clerk Rossi: "House Bill 6084, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Madigan: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 6084, is the budget for the Department of Human Services. The Department of Human Services receives a million dollar GRF increase for immigrant services, 30.3 million from GRF, an increase for child care, 15.3 million that will eliminate the proposed increase in the co-payment and 15 million will be used to maintain the current income for initial eligibility and increase the maximum eligibility. There's 4,920,000 GRF dollars to maintain Elgin Mental Health Center at its current level. 8.6 million GRF increase to maintain Zeller Mental Health Center at its current level. 1.8 million GRF increase to maintain Singer Mental Health Developmental Disabled Center at its current level. The CILA line will decrease by 3.7 million from the Governor's

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fiscal year '03 request. 1.2 million GRF will be cut because Singer will not be downsized and 2.5 million GRF will be cut since that amount will not be cut from the other... since they won't need it, because they're not going to other facilities. \$6 million GRF increase over the Governor's fiscal year '03 budget request for DD training employment will be used to transition in the rate and eligibility changes. There will be a \$20 million GRF used to restore the DD grants and services to the fiscal year 02 level. Developmentally Disabled Home Base Support Services Program increase 3.5 million over the Governor's fiscal year 03 request to restore funding for the fiscal year 02 level. Developmentally disabled long term care will increase 18.2 million, General Revenue Funds over the Governor's fiscal year 03 to reduce the payment cycle by 18 days. That was requested, of course, by those who have to wait for their payments. Mental Health Grants increase 18.6 million GRF over the Governor's fiscal year 03 request to restore community mental health grants and services to the 02 level. Workforce advantage will decrease 500 thousand GRF from the Governor's fiscal year 03 to eliminate the increased sites. Funding for the workforce advantage reapportioned has been eliminated and represents a decrease of 2.5 million over the Governor's 03 request, fiscal year 03. 18 million GRF increase over the Governor's fiscal year 03 request for home services to meet program liability without cutting service hours or raising the determination of need. \$1 million GRF has been appropriated for a pilot project to raise the asset limit and lower the determination of needs score to qualify for the Home Services Program. 700 thousand GRF has been appropriated to restore funding for the Scandinavian

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Lekotek Play Libraries. As stated previously, Mr. Speaker, our committee met for hours for four or five weeks. We listened to our constituents. We listened to their needs. And this is a budget that we recommend based upon our responsibility of representing the people who send us here. I urge an 'aye' vote."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing none, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 6084?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill for the third time."

Clerk Rossi: "House Bill 6084, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Tenhouse. Representative Monique Davis on the Bill. Monique."

Davis, M.: "I ask for an 'aye' vote. I apologize..."

Speaker Hartke: "Okay."

Davis, M.: "...my attention was diverted."

Speaker Hartke: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. And I rise reluctantly on this issue like before. And it's again, the issue is not that of increasing the reimbursement for these people, it's certainly needed. We're talking about some of the folks who are most at risk in our population. In fact, I have a sister who is developmentally disabled and am probably as familiar with this issue as just about anyone in this chamber with a lot of you. But again, we're in this situation, we have an

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agreement with the House Democrats that we would live within the means as far as the budget was concerned, that this budget would be adopted or passed over at the Governor's introduced level. We would work within those budget lines to try to do anything we could. Unfortunately, we're in the same mantra as we were before. We were... talk about doing the add-ons but yet there is no plan in terms of where we're going to find the revenue or where we're gonna cut the spending to make this work. Unfortunately, I must reluctantly rise and I will vote... be voting 'present' on this issue, 'cause I feel very strongly about seeing that reimbursement be returned to this most fragile population, but it's not going to happen under this plan."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. And just, just let me clarify a point that the Gentleman has made now and I haven't worked a whole lot with Representative Tenhouse on Appropriations, but we didn't have a understanding that we could do anything. My position was that we would try to get these Bills out at the Governor's level, if that's what the committee wanted to do. And I... it was my understanding that the Representative told me that his Members were free to do as they please. So, in that respect, perhaps there was simply a misunderstanding. But clearly we ask the Appropriation Members to sit down, to go through these Bills. To try and make heads and tails out of them and to establish priorities. Not to restore everything that the Governor cut and go beyond that as the Appropriations have... Committees have sometimes done in the past, but to decide

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amongst those things that we had on the table, which should we go forward with, which should we fight for, and which of those do we feel that we simply could not fund this year. So, we put together a plan that sets out priorities, which is exactly what the Appropriation Committees need to do, and they did it on a bipartisan basis. So again, I, I think that the committees have done their work and we now need to send this Bill to the Senate, so we can continue to try to find a solution, having carved out and established the priorities here in the House."

Speaker Hartke: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just looking back on the years I've served in the House of Representatives and the budget problems we've had at times, I go back to 1983, when we had between a billion and two billion, if I remember correctly, in deficits. And listening to the debate today on the floor, and we're talking about a billion and a half at least, if you do the add-ons today and that only brings to light one thing, that there isn't enough money in a tax... in a cigarette tax increase. There isn't enough money in a riverboat tax Bill. There's only one place to find enough money to solve this problem, and that's an income tax increase. As I look back on the 1983 situation, we had a temporary income tax increase, which could span and back then it was I think a year or 18 months. That's the only, that's the only place we're going to find enough money. So put in your, I think, in your mind the idea that if we continue to increase this budget, we're gonna end up, everyone on this floor, in a situation where we might be addressing a temporary income tax increase. That's what we did in 1983 and we're facing that again today. I just want to let the Members know that

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that is the only place that we can find enough money to solve this problem, if that's where we're heading with over a billion and a half dollars in deficits. Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. I couldn't disagree with the last speaker and I don't think that any votes on any of these Bills indicates that we're looking for an income tax increase. I think what we're saying, in particularly in Human Services, those of us that sat at the Thompson Center for eight hours and listened to advocates, without the departments adequately being there to represent a give and take point of view, many questions came up and we haven't had... we need more hearings on this, and these Bills are almost premature coming out in the way they're coming out. I think we're still making the same statement. That statement is, there are many questions we have about cutting services to certain categories of people. Particularly, when you go into the disabled people who need a personal attendant to get up and go to work in the morning, perhaps take a bath or one less bath a week that they may get, and that we do not care of the way some of these cuts were made. We don't care for them. When someone testifies in a committee that we're cutting \$40 thousand out of a mental health program that garners \$240 thousand in matching Federal Funds, we have questions that are unanswered. And I think many of us who serve on those committees feel that we will not be there at the end and that what we're sending is a message, we want more scrutiny on these budgets. We want to take a harder look at what's on and what's out. We are certainly not advocating an income tax increase and I think that's a very poor way of

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stating what's going on at this point. When we all know that this is the tip of the iceberg of what's gonna happen in the last couple weeks. I think the Members of my committee the Members on our side of the aisle that worked hard and long 2n considering and listening to those people come before us, certainly do not feel that way. And an 'aye' vote from them is not representing that in any way. So, let's not posture for a mail piece, let's work for the people of Illinois and what they need, not for some mail piece in a campaign."

Speaker Madigan: "Representative Monique Davis to close."

Davis, M.: "Thank you, Mr. Speaker. I will just simply say that this is a budget that we're sending to the Senate because the Human Service Appropriation committee, we feel these are needs the state has. We do not want to see mental health patients or developmentally disabled patients put into environments in which their needs will not be met. For hours we heard testimony from their needs. We heard from all kinds of organizations and people who cared came to those committee meetings. Therefore, we have drafted a budget that we are proud and pleased to present to the Senate and I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 6084?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 88 Members voting 'yes', 19 Members voting 'no', and 10 Members voting 'present'. And the House does pass House Bill 6084. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6086. Mr. Clerk, read

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the Bill."

Clerk Bolin: "House Bill 6086, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow on the Amendment."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Amendment #1 to House Bill 6086, which is the Capital Development Board. This Amendment deletes 55 million from a section in the Bill appropriated to CMS for property acquisition around the Capitol Complex. It also adds 55 million of line item capital projects. I'll be glad to answer any questions."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that he will yield."

Parke: "Yes. Representative, in relationship to this last comment of yours, that you deleted certain projects and added certain projects in terms of funding for them. Can you tell us what you eliminated and what you added? Least wise, I don't want every individual..."

Morrow: "The 55 million that we eliminated was just a lump sum. It wasn't itemized. It was 55 million for just various land acquisition around the Capitol Complex. It wasn't itemized."

Parke: "And so it was just... there was no real rationale for it, that they told you?"

Morrow: "Well, we questioned why, why there was just a \$55 million line item with no... nothing to say how this 55 million and what projects it was going for."

Parke: "Okay."

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Morrow: "So it was the wishes of the Members of the committee to identify \$55 million worth of projects."

Parke: "Well, you put... you put money in for something else. What did you put it in for?"

Morrow: "For, well, there's a list of the projects. Section 25, the sum of \$1 million is appr... Okay. The... Representative, there's a list that I have here that you can come see."

Parke: "Well, it looks like the bulk of it is for the... not for around the Capitol Complex. The bulk of it is going to the City of Chicago or those programs that serve the City of Chicago."

Morrow: "Well, I wouldn't say that all, that all of it's going towards the City of Chicago, no. There are other towns and villages that..."

Parke: "Yeah, but the big bulk of it looks like it's going to Chicago. \$55 million and I... looking at this..."

Morrow: "Well, Representative Parke."

Parke: "...that a..."

Morrow: "Representative Parke."

Parke: "Yeah."

Morrow: "This was a bipartisan agreement with committee Members."

Parke: "Well, I just want the Body to point out where our money's going."

Morrow: "I have no problem with that, Representative."

Parke: "All right. Very good. So obviously, there are not other needs around the state, that the City of Chicago has the bulk of the needs and they've made their case. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Novak."

Novak: "Yes, Mr. Speaker. The Sponsor yield?"

Speaker Hartke: "Sponsor of the Amendment will yield."

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Novak: "Mr. Morrow, is there... are there any references in this Amendment with the Capital Development Board School Construction Grant Program?"

Morrow: "No, no we didn't change it."

Novak: "Okay. What, what level is that at?"

Morrow: "70 million."

Novak: "How much?"

Morrow: "70 million."

Novak: "And can you..."

Morrow: "That's at the level the Governor..."

Novak: "...Governor introduced?"

Morrow: "...proposed."

Novak: "Can you tell me how many schools are on that... I guess the question is, that... will that \$70 million be able to fund all those schools on the list, on the waiting list right now, that have been ranked and certified by CDB?"

Morrow: "I understand there's a billion dollars worth of needs right now and there's no way that we can fulfill all of those."

Novak: "Okay, thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Morrow to close on the Amendment."

Morrow: "Yes. Thank you, Mr. Speaker. I just urge 'green' votes on House Bill... on Amendment #1."

Speaker Hartke: "The question is, 'Shall the House adopt Amendment #1 to House Bill 6086?' All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 6086, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. I just urge 'green' votes on House Bill 6086."

Speaker Hartke: "Is there any discussion on House Bill 6086? Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What we just accomplished here... what this Bill will do is take \$55 million away from the Governor's proposed budget for the Capitol Complex, funding for a new parking ramp but more importantly, funding for a new state museum. And we're going to reallocate those dollars for Member initiatives within the Members of this committee. I can understand where they're looking here, but I guess they don't read the newspapers. You know, we talk about looking at projects and then start about... talking about eliminating a state museum and worry about building... putting traffic lights or environmental cleanup or a sound barrier somewhere in the state, you know, an unusual... extremely unusual approach to problem solving. I just find this incredible, as we look at it. When we look at the Capitol Complex as part of the plan to be able to reinvigorate this downtown area of Springfield, we see what happened with the Lincoln Library and what we're trying to accomplish there and then to take this money out of this budget to say we're not gonna build a state museum, we're gonna put \$5 million into Clinton for storm sewers or we're gonna put stormwater improvements into Roselle for 6 million. I mean, that may be fine to look at those initiatives as individual projects, but to talk about stripping away what we're trying to accomplish here in

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Springfield for this, is just not responsible government.

And I stand in opposition."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Righter."

Righter: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Righter: "Representative Morrow, what is the appropriated level for the school construction program? Is that in this budget?"

Morrow: "\$70 million, as I said earlier."

Righter: "Do you have any idea how far down on the State Board of Education's list that will go, as far as building schools?"

Morrow: "No."

Righter: "Okay. Was there any talk in the committee to taking the \$55 million and rather than allocating it in project like this to adding it to the school construction program, so then we'd have 125 million?"

Morrow: "That was not discussed in committee."

Righter: "Thank you, Mr. Speaker."

Speaker Hartke: "Further discussion? Representative Morrow to close."

Morrow: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen. First of all, going back to the \$55 million. I don't know where the Gentleman on the other side of the aisle came up with the fact that this money was gonna be used for a state museum. CMS would not identify what they were gonna use the \$55 million for. So we identified it for 'em, and you say that's bad government? I'm... We're supposed to just give to the budget a \$55 million blank check to be used for somebody else's other Member initiative? I mean to sit up here and chastise the Members of this committee for identifying how to use the money, give me a break, I'm just

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supposed to give this administration a \$55 million break, for Member initiatives of his wish? And to talk about Member initiatives, yeah, there's gonna be some Member initiatives in this budget. Oh, believe me. Oh, believe me, there will. They're gonna tell you, there's no money. But you better believe there'll be certain Members in this General Assembly and certain people in this Capitol that have some add-ons when the budget is finally crafted and the final draft is made. Don't be that naive. We urge 'green' votes on House Bill 6086."

Speaker Hartke: "Representative Morrow, have you concluded? The question is, 'Shall the House pass House Bill 6086?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 35 Members voting 'yes', 74 Members voting 'no' and 7 Members voting 'present'. And this Bill, having failed to receive a Constitutional Majority, is declared lost. House Bill 6088. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6088 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis on Amendment #1."

Davis, M.: "Thank you, Mr. Chairman. House Amendment 1, merely restores the 2,750,000 GRF money over the Governor's fiscal year 03 request. It's 750 thousand from GRF for expenses of the AIDS-HIV Prevention and Treatment Program for minority cases where we have the fastest and largest growing increase in AIDS in our state. From the Tobacco

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Settlement Recovery Fund, we have \$1,251,850 for the AIDS-HIV Prevention Outreach and Treatment, 748,150 goes for grants to the Human Resource Development Institute. Mr. Speaker, this Amendment increases the total Department of Public Health appropriation from \$331,616,300 to \$334,366,300. I urge an acceptance of this Amendment."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 6088?' All in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6088, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Davis."

Davis, M.: "Again thank you, Mr. Speaker. This really puts less than 3 million back into the budget for AIDS prevention programs in minority communities and I urge an 'aye' vote."

Speaker Hartke: "Representative Tenhouse."

Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, this is a very... both of these programs are very, very worthwhile. There's no doubt about that. But as part of the process, I guess, I didn't understand the Representative on the other side when we discussed this, because I thought it was pretty clear, we were told we were going to stay within the Governor's appropriated levels, as far as the budget levels. That's what had been communicated to me. I thought that we had that conversation, but whether we did or didn't, I guess, maybe I'm... my memory must have gone bad on me, but are

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certainly... it was our understanding that we were going to pass budgets out of here at the Governor's proposed budget level. In this case, we would certainly have hoped that these programs could have been found by making other cuts within the Department of Public Health, rather than the action that was taken by this Amendment. So as a result, I reluctantly rise in opposition to this particular Bill as a result of that add-on and the fact that we're not acting responsibly within the constraints of this budget crisis."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 6088?' All those in favor, signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 45 Members voting 'yes', 69 Members voting 'no', 1 Member voting 'present'. And this Bill, having received the having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 6092. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6092 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Amendment #1 to House Bill 6092, the Amendment changes to 15 million in the Road Fund that was in the Governor's introduced budget into GRF. The money will be used to pay for troopers."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #1 to House Bill 6092?' All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6092, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. I just urge 'green' votes on House Bill 6092."

Speaker Hartke: "Is there any discussion? Mr. Tenhouse."

Tenhouse: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I don't think any group of people are any more sensitive to the issue of the Road Fund than downstate Legislators. But, and certainly in terms of taking as... what the Amendment did was take fourteen and a half million dollars that was going to come from the Road Fund and taking that from GRF. I think that is an issue that probably we would support in principle, but only again coming back to the fact, if you find that fourteen and a half million dollars in cuts somewhere else within that budget. I don't see this taking place. In effect, what we're doing here is creating another \$14.5 million hole in terms of this General Revenue Fund situation. And as a result, I rise in opposition to this Bill."

Speaker Hartke: "Further discussion? Seeing no one is seek recognition, Representative Morrow to close."

Morrow: "Yeah. I just urge 'green' votes on 6092."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 6092?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have

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all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 55 Members voting 'yes', 59 Members voting 'no', 1 Member voting 'present'. And this Bill, having failed to receive a Constitutional Majority, is... Representative Flowers."

Flowers: "Mr. Speaker, had I been at my desk, I would have voted 'aye'."

Speaker Hartke: "The Bill is declared lost. Representative Flowers, your vote would be... I've already taken the Roll. I was declaring the Roll. Your choice or your wishes will be recorded in the Journal. House Bill 6103. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6103 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Monique Davis, has been approved for consideration."

Speaker Hartke: "Representative Davis on Floor Amendment #1."

Davis, M.: "Thank you, Mr. Speaker. This is the budget... House Amendment #1 for House Bill 6103. Aging budget, 9.4 million GRF increase for the homemakers services to provide for the \$1 wage increase without service cuts. We have found, that having these workers helps to keep the disabled at home and out of institutions. It helps to keep homemakers inside of senior citizens' homes, so that they cannot have to go to nursing homes. One million dollars General Revenue Fund was added to create a pilot project to raise the CCP asset limit and lower the determination of needs score to qualify for the Community Care Program. Aging increases a total of 10.4 million over the Governor's fiscal year 03 budget request. And let me just add, all of these budgets we've talked about, keeps those levels at the

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2... I'm sorry, yeah, 2002 level. So when we talk about, the so-called increases, we merely have been keeping them at the fiscal 02 level. I hope you will adopt this Amendment."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? The Chair recognizes Representative Lang."

Lang: "Thank you, will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Lang: "Representative, what changes have been made in line items relative to state investment and elder abuse programs?"

Davis, M.: "In reference to the what, I'm sorry I didn't hear you."

Lang: "Elder abuse programs."

Davis, M.: "There were no changes in the Governor's level and we did not change that."

Lang: "Thank you. With all due respect, Representative, I'm gonna have to oppose your Amendment and the Bill. This state does not invest enough money, time, or resources in the problems of abuse against the elderly and I'll be voting 'no'."

Davis, M.: "Representative, if I'm not mistaken, it's the Department of Public Health that investigates the nursing home and the abuse in the nursing home. It is not the people from the aging budget who monitors them."

Speaker Hartke: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, you've mentioned that you've increased funding for a number of projects. You have a million dollars for a pilot project in Cook County, to increase the number of individuals receiving CCP services. Can you explain to me what this pilot project is about?"

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Davis, M.: "Well, you know we have certain levels of income that allow people to be eligible for the services. And this is a project to see that if they're eligible with a little higher income and if they can remain with service at a higher income, will this help to... the pilot program is to help determine if this will help to keep some out of the nursing homes."

Parke: "Is it only for Cook County or is it statewide?"

Davis, M.: "No, it is not. It is not just for Cook County."

Parke: "It's statewide, then."

Davis, M.: "It's not just for Cook County."

Parke: "Is it statewide then?"

Davis, M.: "Well, in the Bill it does say that, but is it? Okay, it is, yes."

Parke: "Okay, it only... it is only for Cook County. And, and how come... is it just gonna be too costly, if you do it statewide?"

Davis, M.: "I'm sorry."

Parke: "Will it be just too costly, I mean you're gonna put..."

Davis, M.: "It's a pilot program and if it is successful, we will attempt to have it statewide."

Parke: "Now, you also have said that you're increasing a number of programs. What is the overall increase of the appropriations for this fiscal year? The new... fiscal year 03."

Davis, M.: "10.4 million."

Parke: "10 point... 10.3 million?"

Davis, M.: "No. 10.4 million over the Governor's fiscal year request. Yes."

Parke: "Is there one major project that you've increased of that 10.4 that..."

Davis, M.: "The major increase is the homemaker services, the

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\$1... a dollar an hour wage increase that they've been promised for a few years. Yes."

Parke: "And how much does that come out to be?"

Davis, M.: "Yeah, that's it. That's the major increase."

Parke: "And about how much of the 10.4 is that?"

Davis, M.: "That... 9.4 million. And it was in the Governor's proposed budget."

Parke: "Okay. Thank you very much."

Speaker Hartke: "Chair recognizes Representative Hamos."

Hamos: "Mr. Speaker, Ladies and Gentlemen. This is a very important budget, and I think that for the sake of our... the seniors in our state, we have to understand what we have done here. Thank you to the Governor for recognizing that we needed to give that \$1 an hour increase for the people who care for the seniors in their homes. Again, this is a very important component to allow people to stay in their homes and to prevent deinsti... than to prevent institutionalization in nursing homes. That's in the Governor's budget, in response to Representative Parke's question before. That's already in the budget. That actually costs \$27 million. What the Governor also did, however, that we were very concerned about as a committee, is he would have reduced the number of hours that were available to be served... for the seniors to be served. And we were concerned about reducing hours at the same time that we were increasing salaries. Because again, our goal is to allow seniors to remain as independent as possible in their homes. So, that's what costs \$9.4 million, is to restore that portion of it, the reduction of hours. In addition to that, the Governor's proposal would have been to raise the threshold by which seniors would become eligible for these services. That's called determination

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of need. Again, we were concerned about doing that wholesale across the board, all seniors. So, we wanted to start that with a pilot project in a very modest way to test that and to see if it really is possible to raise that determination of need. That small pilot project we thought could be funded at \$1 million. So we really thought through a whole program here and this is a very important Bill for the seniors of our state and I urge a 'yes' vote."

Speaker Hartke: "Further discussion? Representative Davis to close."

Davis, M.: "Thank you, Sir. I appreciate that opportunity. I believe that this is a budget that shows that those of us in the Legislature are very concerned about the aged. We listened to the testimony from the Department. We listened to hours of testimony from seniors, from those from AARP and we believe that this budget will help to meet some of those needs. I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 60... 6104?' All those in favor, signify by... 6103. All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6103, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Davis."

Davis, M.: "Thank you very much, Mr. Speaker. Senior citizens are very important in our state. They make great contributions and we urge an 'aye' vote on this Bill."

Speaker Hartke: "We've discussed the Bill during the Amendment."

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Representative Tenhouse for a comment."

Tenhouse: "I didn't have my light on but thank you, Mr. Speaker."

Speaker Hartke: "I know."

Tenhouse: "I think it's the same speech, speech #3."

Speaker Hartke: "Speech #3. All those in favor of House Bill 3160 will vote 'aye'; those opposed vote 'no'. The voting is open. 31... 6103, excuse me. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 Members voting 'yes', 14 Members voting 'no', and 4 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6138. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6138, has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Younge, has been approved for consideration."

Speaker Hartke: "Representative Younge on the Amendment."

Younge: "Thank you, Mr. Speaker. This Amendment is cosponsored by Representative Myers who's the Minority spokesperson for the Committee on Higher Education and Representative Erwin. And this Amendment is for the higher education budget for the nine universities and it is, by agreement of the whole committee, within the Governor's proposed funding levels. The Amendment includes \$256 million for SURS, the State University Retirement System and it has in it the budgets for the nine universities and also the Student Assistance Commissions and also the community college budgets are in there and the Board of the Community College. And the total amount of the Amendment is \$2,600,000,000. It increases the State Universities' Retirement System by \$24 million as provided by statute and the... it increases the

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Illinois Student Assistance Commission by 12 million. It decreases public universities 48 million, community colleges 12 million, the Board of Higher Education Grants 4 million, and then a half a million for the Illinois Math and Science Academy. Taking everything into consideration, the committee believes that having a budget within the proposed Governor's levels is the best thing to do at this time."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Myer... Myers."

Myers: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Myers: "This is not a Bill that I particularly like to cosponsor, but yet it is within the Governor's recommended level and it does apply across the board to all of the state universities, even though I have one in my district. I don't want to see them take a decrease in funding. But they're all taking a decrease in funding and given the current the fiscal status of the State of Illinois, I think that this is probably a responsible budget for our universities. It's a responsible budget for all of higher education. It is one that the Governor recommended, and it does affect, not only the higher education institutions, but also the community colleges and ISAC, as the Chairman of the committee, Wyvetter Younge, explained and I rise in support of this Amendment, reluctantly, like I said, because I hate to see my universities take a hit. But I think that to be prudent, to be wise, and as Representative Tenhouse has called us all to be responsible, I think this is one of those Amendments that is a responsible thing to do. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes

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Representative Klingler."

Klingler: "Thank you very much, Mr. Speaker. I rise in support of this Amendment. Although, I wish the operational levels for the universities could have been higher, I think that this is something that they would be able to live with and it's important for the educational needs of our state. I would also point out the very important capital improvement projects that are needed at our universities that we simply have to continue those, those projects, to have adequate classroom building and research laboratories for our students. So, I would urge an 'aye' vote."

Speaker Hartke: "Further discussion? Representative Judy Erwin on the Amendment."

Erwin: "Thank you, Speaker. Just briefly, I too, rise in support of this Amendment and I certainly want to commend Representative Younge and Representative Myers on, on the work on this. It is not easy in a year where we'd like to see more revenues going for post-secondary education. We all would like to see this budget be higher. But I think it's important to note that the things that are truly important to students, like the MAP grant and financial assis... other financial assistance programs are preserved in here. And while we are sorry that there is some reduction in the public universities, I think we should note that the plain fact is that higher education has done very well for the last four or five years and that the state's revenues are just such that there needs to be, everybody needs to be a part of finding this budget solution. So this is a very responsible budget. It is at the Governor's level and I would encourage an 'aye' vote."

Speaker Hartke: "Further discussion? No one is seeking recognition. Representative Wyvetter Younge to close."

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Younge: "I move 'do adopt'."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 6138?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6138, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Younge."

Younge: "Yes. I move 'do pass' as amended."

Speaker Hartke: "Is there any discussion? Mr. Tenhouse? Mr. Tenhouse? He declines recognition. The question is, 'Shall the House pass House Bill 6138?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 3 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6229. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6229, has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Third Reading. Mr. Clerk."

Clerk Rossi: "House Bill 622..."

Speaker Hartke: "Excuse me, Mr. Clerk. Mr. Schoenberg."

Schoenberg: "Thank you, Mr. Speaker. I would wish to move to table Committee Amendment #1. As the Sponsor of Committee

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Amendment #1, I would wish to table that Amendment and remove it from the budget."

Speaker Hartke: "Move that Bill back to Second Reading for the purposes of an Amendment. Mr. Rutherford."

Rutherford: "Thank you, Mr. Speaker. Just an inquiry of the Chair. Representative Poe fixes chicken for the entire chamber. Everybody in the chamber, Representative Poe fixes complementary, Democrats and Republicans, Representative Poe does that. I'm just curious if today Representative Poe has done that again for the entire chamber?"

Speaker Hartke: "I don't know. Representative Poe, would you answer the question? He will not answer the question."

Rutherford: "Representative Poe. Representative Poe, I'm curious, did you fix chicken for everybody, Democrats and Republicans a bipartisan effort, Representative Poe, did you do that?"

Poe: "Not today, but it's coming later."

Rutherford: "And it's gonna be a bipartisan chicken for everybody. Thank you, Representative Poe."

Speaker Hartke: "Representative Parke, do you have a... an inquiry?"

Parke: "Yes, while we are... while we were giving kudo's and having a little light time. I just wanted to take a moment to thank the electrician for coming over and not even... I didn't even have to ask. I was having a problem with my switch and asked if they can come and repair it and take care of it, which they did. And I just think that the Body should remember all of the support staff that's in this chamber, that day after day works to make sure that it runs well, whether it's electricians or the clerks or all the people of the staff that does a good job for us, day after

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day. And I appreciate that and obviously, the Body does to."

Speaker Hartke: "To the Motion. Representative Schoenberg has made a Motion to Table Amendment #1 on House Bill 6229. Mr. Black, do you have a question on the Motion?"

Black: "No, Mr. Speaker. Just a point of personal privilege, if I might."

Speaker Hartke: "Could you wait?"

Black: "I'd be more than happy to."

Speaker Hartke: "Thank you."

Black: "But it'll lose a..."

Speaker Hartke: "You just lost your voice, too. You've all heard the Motion. All those in favor of the Motion, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Motion is adopted. Are there any other Motions?"

Clerk Bolin: "No further Motions."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6229, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Schoenberg."

Schoenberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 6229 is the Department of Natural Resources budget at the Governor's introduced level and allocated per program as the Governor's original introduced level. The... by lifting the Amendment we have restored it to its original state. And I urge your passage of this."

Speaker Hartke: "Further discussion? Representative Tenhouse, #3?"

Tenhouse: "No actually, this is a... I just want to say, this speech I haven't had the chance to give before."

Speaker Hartke: "Okay."

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Tenhouse: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I wanted to say that I stand with Representative Schoenberg. This is at the Governor's introduced level as we had agreed to do. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I too, congratulate you on this budget at the Governor's introduced level. But let me ask you a question that I... I've had several calls this morning. Evidently, there is a wire story or a news story that has appeared in some local papers today that certain state parks are targeted for closure during fiscal 2003, at this introduced budget. Have you been in contact with anybody at DNR? Is that in fact the case? If so, do we have a list of what parks will close?"

Schoenberg: "This... what I can speak to I can... as you know, like you, I don't get in the business of speculating on news accounts, unless of course, it involves the tollway. That's a different story. But, what I can tell you about this particular Bill is that this particular DNR project will insure funding for each state park and that there will be no closure."

Black: "So..."

Schoenberg: "If in fact, this Bill becomes... is signed into law."

Black: "So you... it's your intent, for purposes of legislative intent, as the Sponsor of the DNR Budget Bill, you're telling me, so I can tell my constituents that this particular Appropriation Bill should allow for the orderly

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operation of all state parks in fiscal 2003 and it is your understanding that none, in fact, will close."

Schoenberg: "That's correct."

Black: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Schoenberg to close."

Schoenberg: "I urge your... I appreciate the love feast and I urge your support for House Bill 6229."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 6229?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 Members vote... 108 Members voting 'yes', 9 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Black. Mr. Black, a point of personal privilege?"

Black: "I forgot what it was, Mr. Speaker."

Speaker Hartke: "Okay. House Bill 6254. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6254 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill a third time."

Clerk Rossi: "House Bill 6254, a Bill for an Act making appropriations for the Office of the State Appellate Defender. Third Reading of this House Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. This budget for the State Appellate Defender is at the Governor's introduced level,

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their introduced level."

Speaker Hartke: "Any discussion on House Bill 6254? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 6254?' All those in favor, signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100 Members voting 'yes', 16 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 6273. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6273, a Bill for an Act making appropriations. Third Reading of this House Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Basically, IDOT's budget is at the Governor's introduced level. The only restoration that was made with the IDOT's budget was to restore the \$6 million rate subsidy for seniors and disabled and students."

Speaker Hartke: "Is there any discussion? Is there any discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 6273?' All those in favor, will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 92 Members voting 'yes', 24 Members voting 'no', and 1 Member voting 'present'. And this Bill, having a Constitutional Majority, is hereby declared passed. Mr. Clerk."

Clerk Rossi: "Supplemental Calendar #1 is being distributed."

Speaker Hartke: "House Bill 6013. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6013, a Bill for an Act concerning

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wetlands. Third Reading of this House Bill."

Speaker Hartke: "Representative May."

May: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 6013 creates the Wetlands Protection Act. First of all though, I'd like to thank everyone who has worked for this Bill, on both sides of the aisle, who support the Bill, and everyone who has studied to understand the importance of this issue. I'm pleased to have the chance to debate this in this chamber, what I think is an important public policy issue for our state. There was a Supreme Court decision in January of last year that ruled that the Federal Government no longer had jurisdiction over the isolated wetlands. The state has lost over the years, 90% of the wetlands and now there are 152 thousand acres at risk of being filled or dredged without oversight. Last year I passed a Bill out of committee codifying that the counties under their stormwater management powers, could regulate these wetlands. Certain groups argue that they wanted a statewide standard, so I agreed to work on it over the summer. We held hearings and we were taking into account a testimony from many groups. We crafted a Bill that had... during these, and then had a series of sessions. We discussed the Bill with many interested parties on both sides at the table. We worked very hard to make major changes to meet the concerns of the opponents. It's a good Bill and it is a very needed Bill for our state. In the last year, while we waited to discuss this, in the Chicago zone alone, of the Army Corps of Engineers, there were 262 projects over which they had no jurisdiction. That is one project every business day. The Wetlands Protection Act merely puts back into place the protections that were there for many years. We carefully

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crafted our Bill to feel... to fill the gaps. We're filling the gaps in a seamless fashion, between the Federal Government and the County Code. It is important to note that agricultural land is totally exempt. House Bill 6013 calls for a statewide program to be administered by the Department of Natural Resources in coordination with EPA, which would only certify the water quality standards. Our goal is no net loss. We want to fill the gaps and put back in the protection that was lifted. I welcome any questions."

Speaker Hartke: "This Bill is on Short Debate. We will allow five minutes in response. Representative Black."

Black: "Mr. Speaker, according to the applicable House Rule, I'm joined by seven of my colleagues in asking that this Bill be removed from Short Debate."

Speaker Hartke: "To Standard Debate? 'Cause it will be... put on..."

Black: "Unfortunately, that's all that you'll grant me, but we'll see later."

Speaker Hartke: "We will move the Bill on to Standard Debate. Standard Debate allows for two people to speak for the Bill and two in response. Representative May, the Sponsor of the Bill has given her presentation. The Chair recognizes Representative Winters, speaking in favor of the Bill."

Winters: "You assume. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 6013, I believe is a responsible... response to what many would consider a crisis in natural areas protection in Illinois. I did not sign on to this Bill, initially. I serve on the committee that's looked at it. I've attended several of the negotiating sessions. The Bill initially had some problems that I was not comfortable with, but about two weeks ago at

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one of the negotiating sessions, it seemed to me that an agreement had been reached with the major opponents, that if the Bill was scaled back to be a statewide standard not allowing counties to exceed the statewide standards, that we would have one standard overall the entire state, that that was the major objection. There are minor objections that, that can be addressed in the future. But we need this Bill, I feel, to put us back the way we were 14 months ago. We have created a hole with the Swank decision, US Supreme Court stating that only a portion of the wetlands in Illinois or across the country are protected. The other portion is not. This fills that gap. It does not extend anything beyond what the industry had operated in for the last 20 years. It simply puts us back where we were in January of 2001. With the Sponsor agreeing to amend the Bill to remove the county standards, the ability for the counties to exceed state standards, with the uniformity that was asked for by the opponents, I felt an agreement had been reached, and I was willing to then become a cosponsor of this Bill. It does not affect agricultural areas, in that they were primarily addressed by the swampbuster in the Federal Farm Program. This Bill does not affect them. Most of the wetlands that farmers are dealing with in their agricultural pursuits have really nothing to do with this Bill. I think that the Bill as it's finally crafted is a reasonable approach, again we should go back and address some questions about whether there are different levels of protection that should be offered to the wetlands, those of low, medium, and high quality. I think those can be addressed in the next Session, but today, we need to at least put us back where we were a year ago and then try to craft additional

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enhancements on the wetlands protection to make it more friendly to aggregate producers, more builders who are faced with low-quality wetlands. They should have some relief. But I think that this, this is a stopgap measure, one that I am fully willing to support and would urge the adoption by this chamber. Thank you."

Speaker Hartke: "Further discussion? We have heard two people speak in favor of the Bill. Speaking in response, Representative Righter. Mr. Righter."

Righter: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates she will yield."

Righter: "Representative May, first, and I know I'm joined by several of my colleagues over here, I want to thank you for the time that you've spent on this and the time you, quite frankly, you've spent over here talking to us and helping us... helping explain this to us and helping us understand it. I do have several questions, because I do... this is a complicated issue and I want to walk through some of these matters with you. First, the issue that the previous speaker referred to, which was the question of dual regulation or inconsistent standards from one part of the state to the other. There is a reference in the Bill to counties being able to... protective lang... protective language if you will, so that counties' authorities won't be preempted. Is that right?"

May: "Yes, it grants no new authority to counties."

Righter: "Okay. Who, and you can tell me in terms of characterizing what kind of counties they are or the names of the counties, who has the authority right now as far as counties to regulate wetlands? Are there any?"

May: "Do you mean now or under the Bill?"

Righter: "Now."

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May: "DuPage County."

Righter: "Is that the only county?"

May: "DuPage, Lake and Kane are working under the Stormwater Management Authority given to them to protect wetlands. Will County also has a wetlands program, but it's slightly different, it deals with land use. So generally thinking, you would think, DuPage, Lake and Kane."

Righter: "Now, is that pursuant to the Counties Code? Is that right?"

May: "I didn't hear the question. Was that a question, sorry?"

Righter: "And that's pursuant to their powers under the Counties Code and State Law, is that right?"

May: "The County Code, yes, yes. And, you know, additionally no other counties are doing anything."

Righter: "Okay. Then, but other counties could if they chose to form a... the same kind of entity that you've described exists in Lake and DuPage..."

May: "Stormwater Management Commission."

Righter: "That's right. So, in my area, if Coles County or Clark County or Champaign County chose to move into that area, then they could also regulate wetlands. Is that right?"

May: "I think that's highly unlikely that... for the county to spend the resources and the personnel that's necessary to administer that unless they have huge flooding problems such as an urbanized area."

Righter: "Well, but under the law, they are able to do that. Is that right?"

May: "The County Code limits it really to the NIPC counties which are, McHenry and Lake and Kane and DuPage and Cook and Will."

Righter: "So..."

May: "The County Code right now limits it."

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Righter: "Limits..."

May: "So, I mean actually they couldn't..."

Righter: "Okay."

May: "...they couldn't"

Righter: "So, you're telling me then that the counties that you did not name there would have no ability under the law to engage in stormwater management. Is that right?"

May: "Not today, unless, yes..."

Righter: "Okay."

May: "...they would have to enact a stormwater management."

Righter: "Okay. But the counties that you did name, could not only, obviously those who have it are gonna be able to continue to have their systems, but in those counties you named, there could be new systems start. Is that fair to say?"

May: "Yes, yes."

Righter: "Yes, okay. And now I want to move to the next question on that... on that matter and that is, is there a restriction with regards to how tough the regulations can be if the county's doing it as opposed to if the state's doing it?"

May: "The Wetlands Protection Act, House Bill 6013, states that it would be the overall, equal protection of the state standards set forward by DNR."

Righter: "So, the county's protection has to be at least, what the state's is?"

May: "Yes, overall."

Righter: "What about in excess?"

May: "We took out 'or exceeds', it doesn't address that."

Righter: "I'm sorry."

May: "We took out 'or exceeds'."

Righter: "So, it could be in excess of the state standards or

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not?"

May: "I think that House Bill 6013 doesn't make any difference on that right now. The County Code allows them to do what they want. So, if they want to make it strict or not strict."

Righter: "So, if one of the counties has a system or starts a new system and they want to regulate wetlands in a manner that is different from the state in terms of more stringent, more fees, more restrictions, more requirements for an applicant to build around or on a wetland, they are able under the law to do that. Is that right?"

May: "They could lose their... under this Bill, they could lose their exemption if it's not equal to the overall protection."

Righter: "Well, okay, but I mean... I guess my question was whether or not they can have standards that in terms of stringency, in those matters or others I named..."

Speaker Hartke: "I might remind Members that the timer is on. Mr. Righter, bring your remarks to a close."

Righter: "Are we on the clock?"

Speaker Hartke: "Yes, we are."

Righter: "Okay. Representative, we talked about the fee language yesterday. There is a non... there is not a specific fee limit in the Bill. Is that correct?"

May: "That's correct. It... the fees will be set in rulemaking with both sides at the table and a fund will be set up to capture the fees."

Righter: "Who... you said both sides. DNR is on one side. Who's on the other side?"

May: "No, I think we're talking about the interest groups, the ones who were, who worked with me in... on this Bill in the meetings. And... you know that... in the hearing pros..."

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there would be hearings in the rulemaking process."

Righter: "Okay. The other issue that I want to raise, Representative May, has to do with the Resolution that you sponsored last year. It's my understanding that you were the Chief Sponsor of..."

Speaker Hartke: "Mr. Righter, finish your question."

Righter: "It's my understanding that you were the Chief Sponsor of a Resolution last year that asked for a study to, to find and define these wetlands. Is that right?"

May: "Yes, House Resolution 200. I have from DNR and I shared it with anyone who wanted it. Their preliminary report which outlines, basically, you know, the status of the affected wetlands, of the isolated wetlands in the state. It addresses the importance of them as far as stormwater management..."

Righter: "Well, Representative May, your Resolution asks for basically, an inventory of those, did it not? And those aren't covered in that preliminary report you've got."

May: "I don't believe it asks for a precise inventory, that would take millions of dollars as we discussed in our committee... you know, in the meetings, when we had on this."

Righter: "Let me quote from your Resolution, 'identify and report an inventory of each of the body...'"

Speaker Hartke: "Two people have spoken in sponsor... in favor of the Bill. One in response. The Chair recognizes Representative Coulson."

Coulson: "Thank you, Mr. Speaker, Ladies and Gentlemen. I would just like to reiterate that those of us who live in the urbanized parts of the State of Illinois have major concerns with the wetlands that are not being saved currently, because of the federal court's decision. And

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the reason we have these concerns is that we have major flooding in our area. Last fall, in August and September, we had a few inches of rain and because we didn't have appropriate stormwater detention, as well as enough wetlands, we had people's basements flooded. And I think that, that's why we've worked so hard to try to craft a way to protect the isolated wetlands in the state, just as they were protected up until a year ago. Flood damage in the suburban area has constantly been getting worse as more and more lands north and south and west and east are developed. And that is one of the things that wetlands can help us with. It reduces flood damage by absorbing, storing, and conveying peak flows from storm events, as well as buffering aquatic ecosystems during droughts. We also improved the water quality in our area. We increased and replenished groundwater, which is an issue in our area, as well as we are also able to provide what little is left of open space in the suburban area. And I would encourage all of you who can look around your neighborhoods and see continuous filling in of wetlands to think about this, that we are not... we have worked very hard and I congratulate Karen on all the meetings she held and trying to work with all the different groups and while this is not necessarily a perfect Bill, it is a good Bill. It is in the right direction and it is absolutely necessary in our part of the state. And I urge your 'aye' vote."

Speaker Hartke: "Three people have spoken in favor of the Bill. One in response. The Chair recognizes Representative Stephens. Are you in response?"

Stephens: "Mr. Speaker, I just wanted a clarification of the debate process that we're in."

Speaker Hartke: "Yes."

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Stephens: "And several Members back here would like to speak to the Bill. I don't. I'm opposed. Don't intend to have my mind changed, but other Members have questions to be asked and I wondered if they were going to be allowed to ask those questions?"

Speaker Hartke: "No. In response to your..."

Stephens: "Are we... Mr. Speaker, are we on the M's?"

Speaker Hartke: "inquire... In response to your inquiry, according to our Rules and I can have the parliamentarian read it to you. We moved the Bill from Short Debate to Standard Debate and from Standard Debate and that's as far as it can go, requires that the Sponsor of the Bill introduces the Bill and then we have two people speaking in favor of the Bill and then we have two people speaking in favor of the Bill for five minutes. Two in response, or opposed to the Bill for five... three in response for five minutes and then the Sponsor has the right to close for two minutes."

Stephens: "Well, Mr. Speaker, I was... I actually I was discussing the House Rules with your parliamentarian last night and I think that... I can't remember what he said. When I was trying to make the Motion earlier to seek Extended Debate, before the move to Standard Debate was recognized. So could I move to overrule the Chair?"

Speaker Hartke: "The parliamentarian will answer your inquiry."

Stephens: "Wait, is he in the role of an attorney or parliamentarian at this point?"

Parliamentarian Uhe: "Representative Stephens, on behalf of the Speaker, in response to your inquiry, the request for Extended Debate is out of order. The Rules don't provide for the right of Members to make that request."

Stephens: "When is that Motion legal? Could it be on Saturday, maybe?"

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Speaker Hartke: "When we develop new Rules."

Stephens: "Will that be... meeting be after the... we adjourn today, 'cause I'd like to get started on next Session's Rules."

Speaker Hartke: "We'll invite you."

Stephens: "Some of us might not be here next Session and we'd like to have some input now."

Speaker Hartke: "Would you like to yield the left... the rest of your time to someone else?"

Stephens: "One other question. Are we going to stay in the M's?"

Speaker Hartke: "Time is ticking. The Chair recognizes Representative Berns."

Berns: "Thank you, Mr. Speaker. I also join in thanking the Sponsor for the hard work of all the folks that worked on this, both sides of the aisle, and all of the other folks that have an interest in these issues. This is, in fact, a complicated issue. It's not one, a simple, of an impression or a concept. I don't think there's anyone in this chamber or perhaps no one throughout the state that is opposed to protecting the existing wetlands that exist throughout the State of Illinois. We want to do that. The question and the argument is over the words, over the details of what's being done. There's a lot of technical aspects to this. Some, apparently are holdovers from the Corps of Engineers and United States Government's work. Some of those programs were reasonable and appropriate and some were unreasonable and not very appropriate. And many of us have worked hard to try to remedy the problems and to move forward with a better program and a good program for the State of Illinois. I am joined with many others in being disappointed that the IDNR has not provided its report to the General Assembly as asked. That was to be

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submitted to us in March of this year, so that it would have been available to examine as a part of the debate and a part of the deliberation on this issue. They now tell us that will be expected in June of this year. Unfortunately, after the date that we're going to be taking action on this matter. Once again, we're working on the technical aspects and the words of this, again the big print giveth and the fine print taketh away. I hope perhaps, that if this Motion goes forward and the process continues, that there'll be opportunities for additional review, consideration, and modification. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor indicates that she will yield."

Black: "Representative, in your Bill, what is the definition of an 'isolated wetland'?"

May: "The isolated wetland... What we... we define a 'wetland' very clearly, and on page 3."

Black: "Representative, just the question."

May: "Okay, yeah."

Black: "Define an 'isolated wetland', not a wetland. I know what a wetland is. Define 'isolated wetland'."

May: "Yes. An 'isolated wetland' is one that is not under the jurisdiction of the Army Corps of Engineers. It's not covered by the Corps. It's isolated."

Black: "Where does that appear in the Bill? Just tell me the page and line number where the definition is of an 'isolated wetland'."

May: "Yes, that's... bottom of page 13, 'any regulated activity of which there... a permit has been obtained pursuant to

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Section 404 of the Clean Water Act or pursuant to the Interagency Wetland Act of 1989 is not prohibited or otherwise subject to regulation under this Act.'"

Black: "It's a good try, Representative. But that's no more a definition of an 'isolated wetland' than exists in my rear end. You know, Representative, if you're gonna present these Bills, you're gonna have to learn to do it without staff, and you're gonna have to learn to ask questions and you're gonna have to read the Bill before you present it. Mr. Speaker, to the Bill."

Speaker Hartke: "To the Bill."

Black: "This Bill has been presented as only having a little opposition, a little opposition: The Chamber of Commerce, the Home Builders, the Illinois Association of Aggregate Producers, the Illinois Energy Association, the National Solid Waste Management Association, the Illinois Farm Bureau, the Illinois Association of Realtors, the Chemical Industry Council of Illinois, and the Illinois Municipal League and I could go on. Now, let me tell you what's wrong with this Bill. There are all kinds of things wrong with it. First of all, there's no definition of an 'isolated wetland'. The Sponsor would have you believe that all agricultural land is exempt, and that's not true. If I want to build a new machine shed on my farm, on an area that I choose, I've got to get these permits. I'm not exempt. Furthermore, she encounters multiple layers of bureaucracy. I have to go to my county or Home Rule unit, then I also have to go to a state regulatory authority to get the proper permits. So, a homeowner or a developer or a farmer... pay attention, my urban colleagues, would have to go through two layers of bureaucracy to get the permit. I am very sympathetic to those of you who live in

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high-growth areas. My daughter lived in Aurora in a new subdivision and I would visit her regularly and I know what you're going through. But I want to warn you about something, you better take a good look at this Bill, because what it does is to get at the very heart of what you value most in that suburban property and that is your right to enjoy private property. Let me read to you a little story that appeared in the State Journal-Register on March 4th, and I'm gonna quote an environmental activist, 'I don't think the farmers are interested. The farmers that are affected by this are the guys who really aren't farming. It's the guys who want to sell their farm to Wal-Mart.' So you're going to tell me that I... you want me to vote for a Bill that interferes with the right of a willing seller and a willing buyer to transfer ownership of property? Here it is. If you want to denounce the person who said it, that's fine with me. But that is a warning sign to me. Let me just continue if I could very briefly. You passed a Resolution last year calling for a study. Representative Righter pointed out, the studies aren't even done by the IEPA and DNR. So, oh, let's not wait for the study, let's just pass a Bill. Neither one of these agencies that you asked to pass the study have been done. And last, but not least, my urban colleagues, my rural colleagues, anybody who owns private property, an isolated wetland could be a man-made lake. How... now, what are you gonna do with that? What are you gonna do with a man-made lake that may be a reservoir for your drinking water, and the water company wants to do some improvements to that man-made lake, so that you could have added capacity for your drinking water, surface reservoir? That's an isolated wetland in my definition. This Bill is not ready for

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passage. There is still a great deal of negotiation to be done. I would urge the Sponsor to go back to the table, continue to negotiate, bring this in the Fall Veto Session and when you get all of these questions worked out, I'll cosponsor it with you, but not until."

Speaker Hartke: "Representative May to close."

May: "Representative Black, I appreciate your interest. A pond or any standing water is not an isolated wetland. It's very clearly spelled out in this several hundred page manual here. This is not duplicative, it is seamless. You either go to the Federal Government or you go to the state and they would hand you off to the few counties that do have it. It is not a patchwork and it does not interfere with personal property rights. You can sell it to whomever you want at any time and it does explicitly exclude agricultural use and farming of land. They have to deal with the Swampbusters Program. And again, I'd just like to thank all who have worked with me on both sides of the aisle. I pledge to continue to work on it and to consider all specific suggestions in the Senate. But in the meantime, there are more than 262 wetlands and projects that were lost in the last year alone. There are another 150 thousand that are in jeopardy. The clock is ticking, the time is now and I urge an 'aye' vote. Thank you."

Speaker Hartke: "Mr. Black, for what reason do you... you spoke in debate."

Black: "Yes, Mr. Speaker, I did. But the Representative mentioned my name in her closing comments. I have a right to respond."

Speaker Hartke: "The response is?"

Black: "Thank you. Representative, I appreciate you using my name in debate. Although, I'm sure after your mic is off,

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you'll probably will use it in vain, but that's okay, too. Ladies and Gentlemen of the House, I just want to reiterate, if you'll read this Bill very carefully. Those of us who live in rural areas will work with you. I voted for speed limits on stormwater drainage years and years ago. Went back home and somebody said, 'You did what? Speed limits on drain water? What has possessed you?' My urban colleagues taught me how you have to put speed limits on drain water... stormwater. I voted for it. I'll vote for this when it's worked out. But I just want you to pay attention to some things that the Sponsor, who's a very well-intentioned Representative and a very hard working Lady and has spent hours on this, there are still some things that haven't been done. There are no limits on fees. Now, how many of you in good conscience are gonna vote for any legislation, that allows fees to be established by rulemaking and you don't have any voice in what that fee will be? You'll hear from your constituents, not me. You're creating mitigation standards in excess of federal guidelines. You're adding additional bureaucracy and I just simply would again, quote from the article, one of the most ardent supporters of this legislation who dismisses the concerns of farmers by saying, 'the only farmers who care about this, are the farmers who want to sell their land to Wal-Mart.' If I want to sell my land to Wal-Mart or my son-in-law or my daughter-in-law or my grandchildren, that should be my inalienable right. And if you're going to interfere with the right of private property, you'd better make sure this Bill is drafted as tightly and as perfectly... and I know there's no such thing as a perfect Bill here. But this is a work in progress. It is not ready to be passed out of this chamber

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with some of your names on it. Again, I extend an offer to my colleague, who is a sincere and dedicated individual and who certainly comes from a different part of the state than I do. I will work with you and once we can address the concerns that are expressed legitimately by the very diverse nature of this state of ours, that is so big and so great, once we can address those very legitimate concerns, I'll cosponsor it with you. I've never met a farmer, who wasn't a conservationist at heart. I think it's a shame that they get a bad rap. If you're farming land that has been passed down to your family for 150 years, you must be a pretty good steward of the soil and a pretty fair conservationist. And I think it's a shame that farmers have to take a bad rap, because they don't deserve it. When all is said and done, we asked for a study and we don't have it and this Bill goes to the heart of some of the very issues that each and everyone of us hold dear. It's a Bill in progress. It isn't ready for a 'yes' vote. I would simply ask you to give us consideration in all areas of the state, from Chicago to Cairo. Let's continue to discuss, continue to negotiate, and when this Bill is ready to go, I'll be more than happy to cosponsor it. It isn't ready. No Bill should pass this chamber before its time."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 6013?' All those in favor will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 31 Members voting 'yes', 55 Members voting 'no', and 29 Members voting 'present'. And this Bill, having failed to receive a Constitutional

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Majority, is hereby declared lost. Ladies and Gentlemen, I have counted the Bills. We have about 45 individual Legislators who are wanting to pass legislation. This piece of legislation took 40 minutes. The debate was extended, the choice is yours. So I would ask that you be prepared to call your Bills or we will be here very late this evening. We will be going alphabetically. It's up to you, Mr. Black. House Bill 5343, Representative Bassi. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5343, a Bill for an Act relating to education. Third Reading of this House Bill."

Speaker Hartke: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the chamber. House Bill 43, is the Interfund Transfers Bill that we passed last year, 114 to 0. It involves allowing the monies from the three nonrestricted funds education operation and maintenance and transportation to be moved from one fund to another. It does not exceed the tax cap limitation, but allows flexibility for local school districts in a time of serious economic situations. I would ask an 'aye' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. I rise in support of the Ladies Motion. Ladies and Gentlemen of the House, in tough economic times, this just gives superintendents a little flexibility. Everyone's audited, it's in law and I think that this just gives some flexibility to try to make sure that all districts can stabilize their budgets and get through these tough times. I urge an 'aye' vote."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass

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House Bill 5343?' All those in favor, will vote 'yes'; those opposed vote 'no'. The voting is open. Please man your switches. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this issue (sic-Bill), having received a Constitutional Majority, is hereby declared passed. House Bill 3708, Representative Bradley. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3708, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Saviano, has been approved for consideration."

Speaker Hartke: "Representative Saviano on Amendment #2."

Saviano: "Thank you, Mr. Speaker and Members of the House. Floor Amendment #2 to House Bill 3708, it becomes the Bill. It's a... this is a renewal of a sunset for the Dietician and Nutritionist Licensure Act. The Amendment was... Was the Department's Amendment to make the Bill whole and I would ask for your adoption of Floor Amendment #2."

Speaker Hartke: "Is there any discussion on Amendment #2? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 3708?' All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "Floor Amendment #3, offered by Representative Saviano."

Speaker Hartke: "Representative Saviano on Amendment #3."

Saviano: "Thank you, Mr. Speaker. Floor Amendment #3 was a technical Amendment to follow Amendment #2. I would ask for your approval."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #3 to House Bill 3708?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3708. A Bill for an Act concerning dietetic and nutrition services. Third Reading of this House Bill."

Speaker Hartke: "Representative Bradley."

Bradley: "Thank you, Mr. Speaker, Members of the House. Again, House Bill 3708 extends the repeal of the Dietetic and Nutrition Services Practice Act to January 1, 2013. I appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3708?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4183, Representative Bellock. Representative Bellock. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4183, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you very much, Mr. Speaker. This is the Bill that we voted unanimously. The Amendment. And the

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Amendment becomes the Bill. That is the money to follow the client. This is the legislation that would allow when state institutions are closed for the mentally ill and the developmentally disabled that that, DHS will redirect those funds within this system to follow those people into community environment."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Thank you. Will the Lady yield?"

Speaker Hartke: "The Lady will yield."

Granberg: "Representative, so just... I want to understand this completely. So I have a mental health institution in my district. If that facility would close, then the funds would follow those residents, if they were in private... privately-owned facilities. Or not for profit facilities?"

Bellock: "Right."

Granberg: "Okay. What if... Would the money follow then if they chose to go to a privately-owned facility?"

Bellock: "Yes. If they have been receiving..."

Granberg: "So..."

Bellock: "...funds already. That money will stay within the system to follow them into their community or wherever it's... they are redirected to."

Granberg: "But it's not contingent upon the public facility being closed? That does not initiate, or that does not trigger the money flowing with the resident?"

Bellock: "Oh, you mean if they were... Anybody that would be taken out of a facility, the money would be directed towards the private facility in the community."

Granberg: "But if the... the facility does not have to be closed, though? That's my point. So if the residents..."

Bellock: "No."

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Granberg: "...the resident, the family..."

Bellock: "Right."

Granberg: "...wanted to..."

Bellock: "No, the facility would not have to be closed. The entire facility."

Granberg: "I'm sorry."

Bellock: "The Bill specifies. The Bill specifies the closing of any such state-operated facility for the developmentally disabled or mental health facility, reduction in the number of available beds in any such facility, or a reduction in the number of staff employed in the facility. Those are the three categories. Does that answer your question?"

Granberg: "Let me just give you a hypothetical... So, I have this institution, and we're always concerned that if residents leave, then that institution may be closed. So, it's almost like a self-fulfilling prophecy. So, we don't want to do anything in our area to encourage... You know, the residents are well, well taken care of there. But we don't want to do anything that might change the ground rules, by which those funds would quit flowing to that state institution. Could that possibly happen? Now, I'm not necessarily against your Bill, I just... I'm trying to clarify the position."

Bellock: "It wouldn't take funds away, they would just follow the client."

Granberg: "But that would take funds away from the state institution, 'cause it would follow the client."

Bellock: "But there wouldn't be those funds to support that person anyway if it was being closed."

Granberg: "But that was, that was the initial question. But it doesn't have to be closed for the funds to follow the client."

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Bellock: "Right."

Granberg: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Bellock to close."

Bellock: "Again, I thank you very much for your support of this legislation. I think it's true to the Olmstead decision and especially in this day, when some of the mental institutions are being closed. This will guarantee that that money will follow that vulnerable population into their communities, so that that money follows them. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4183?' All those in favor will signify by voting 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 1 Member voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5831, Representative Brosnahan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5831, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5831, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Brosnahan."

Brosnahan: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 5831, simply clarifies existing practice. It seeks to authorize probation officers to possess the same ability as sheriffs' and police officers

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to arrest any minors in violation of any conditions of his or her probation, or supervision. The Bill also provides that it's the duty of the officer making the arrest to take the minor before the court having jurisdiction over the minor for further action. Probation officers already do this, when it comes to adult offenders, but this just clarifies that it also applies to juveniles. I know of no opposition to the Bill. I'd be happy to answer any questions."

Speaker Hartke: "The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. Will the Sponsor yield just for a couple of questions?"

Speaker Hartke: "Sponsor will yield."

Cross: "Representative, would this... and maybe you answered... said in your explanation, Jim. I just didn't hear it. Would they have to go to PTI... you know, there's the police training institute that all of law enforcement officers have to go to, would they be required to go to PTI?"

Brosnahan: "I believe that is the current practice. It's up to the directors of each county's probation department, is my understanding."

Cross: "All right. And would they be allowed under this Bill to carry firearms? Or do they already have that authority?"

Brosnahan: "That's not affected by this Bill. They already have the ability to do that today."

Cross: "Okay. All right. Okay, thanks."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5831?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Members of the House. It gives me... I rise for the point of personal privilege. It gives me great pleasure to let you know that the one and only Anne Zickus is going to have a birthday tomorrow. And in her honor, she is providing cake for everybody in the House. So let's wish her happy birthday."

Speaker Hartke: "Happy birthday, Representative Zickus. House Bill 4444, Representative Berns. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4444, the Bill has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Berns, has been approved for consideration."

Speaker Hartke: "Representative Berns."

Berns: "Thank you, Mr. Speaker. This Amendment would set the cap at \$27 million rather than \$14 million. Other than that, the legislation is unchanged."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Granberg."

Granberg: "Yeah. Thank you, Mr. Speaker. I actually I was gonna do something else..."

Speaker Hartke: "Representative Erwin."

Erwin: "Thank you. I apologize for interrupting this debate. But on a point of personal privilege. Before she..."

Speaker Hartke: "Hold on, we'll wait."

Erwin: "Before she leaves..."

Speaker Hartke: "We will wait."

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Erwin: "Thanks. Before she leaves, Mr. Speaker. I wanted... what did he say? I wanted the Body to introduce... I wanted to introduce and welcome to all the Members of the House and Senate the most beautiful little girl I've ever seen, I think, Lauren Elizabeth Brunsvold. Joel Brunsvold's first grandchild and granddaughter."

Speaker Hartke: "Sorry, Mr. Berns. Is there any discussion on the Amendment? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4444?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4444, a Bill for an Act concerning business. Third Reading of this House Bill."

Speaker Hartke: "Representative Berns."

Berns: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends The Business Enterprise for Minorities, Females, and Persons with Disabilities Act. All it really does is extend the maximum amount of the gross volume of business those industries can undertake from \$14 million to \$27 million. This will broaden the base of opportunities for those minorities, females and businesses, persons with disabilities, so that more of those can take advantage of the program."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4444?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this question, there are 114 members voting 'yes', 0 voting 'no' and 0 voting 'present'. And this issue (sic-Bill), having received a Constitutional Majority, is hereby declared passed. House Bill 5925, Mr. Bugielski. Mr. Clerk, read the Bill. Shh."

Clerk Bolin: "House Bill 5925, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. House Bill 5925, would allow for the operation of video and audio recording devices in the boarding area of public transportation vehicles. The Illinois Public Transportation Association seeks passage of this Bill to provide enhanced security for public and transit operators. Under the Bill, the recordings and video will be used for security purposes only, made by a fixed publicly visibly camera in the vehicle and used in the normal course of public transportation. And a clear sign, must be in clear view indicating that audio and video are being recorded. And I ask for its passage."

Speaker Hartke: "Is there any discussion? Is there any discussion? Mr. Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I apologize. It's hard to hear in here. But, does this apply to all surveillance cameras that are visible, or only surveillance cameras on modes of public transportation?"

Bugielski: "This, I believe, it's just according to the Bill, it's just for modes of public transportation, all vehicles

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of public transportation. For publicly visible cameras in vehicles used by authorized public mass transit districts in the normal course of public transportation. So it'd be while they are, you know, like, it would not be a chartered bus."

Black: "All right. And it would not then apply to surveillance cameras in the lobby of public buildings."

Bugielski: "No."

Black: "All right."

Bugielski: "No. This is just public vehicles."

Black: "Okay. I appreciate you making that clear. During the discussion of the Bill, were... did anyone show up to testify about a potential invasion of privacy or..."

Bugielski: "I... we'd have to ask the original Sponsor, Representative Hoffman, but as far as I know there was no one."

Black: "All right. He's shaking his head, and that's good enough for me. I... but I do appreciate you making it clear, it's only on surveillance cameras lo... installed on public modes of transportation."

Bugielski: "That is, that is correct."

Black: "Now, would that include Amtrak, commuter trains, airplanes?"

Bugielski: "Yes."

Black: "All right."

Bugielski: "All mass transit in the State of Illinois. But I don't think it includes airplanes."

Black: "Yeah. I would hope not. I mean, I understand things have changed, and I'm gonna vote for the Bill. Although, there's a part of me that would like to vote 'no'. You know 1984 has come and gone, but 'Big Brother' is still around. And you just wonder how far we can go after

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September 11th before literally we're going to be under video and audio surveillance... that'll be interesting, won't it, night and day? I mean, but this one is... I understand what you're saying... this one is limited and it... could you enlighten me as to whether or not it also includes cameras on... like the CTA or Amtrak or an airplane..."

Bugielski: "Yes."

Black: "...that those are all included, too."

Bugielski: "Well, not the airplanes."

Black: "All right."

Bugielski: "Because it says right here in the Bill... it's pointed out, 'in vehicles used by authorized public mass transit districts'."

Black: "All right. Okay."

Bugielski: "So an airplane is not part of the, you know, mass transit district."

Black: "Okay. Fine. Thank you very much."

Speaker Hartke: "Further discussion? Representative Delgado."

Delgado: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Delgado: "Being in touch with this legislation, and sometimes that title can be a little misleading. This is just to remove it from that provision. Your intention is to provide security to that driver, to the passengers. There's a silent alarm on the CTA bus, but by the time a police officer comes at that point, the crime has already been... has occurred, and at that point, you'd have that surveillance and you'd have some kind of evidence to support that..."

Bugielski: "Correct."

Delgado: "Is that correct?"

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Bugielski: "And it's added security for the driver, as well as all the passengers on the vehicle. And this legislation, similar legislation has passed in 17 states and Washington D.C. And it has been proven that the incidences have gone down in number."

Delgado: "This is an excellent Bill. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Bugielski to close."

Bugielski: "Again, just as I said, this has passed in 17 other states and in Washington D.C. And all of these places that have had... put this into legislation, the rate of incidents has declined. So, this is a very good thing for the State of Illinois, along with the employees of them, our mass transit districts and all of our constituents that use the mass transit authorities throughout the state and I ask for its passage."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5925?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4082, Representative Biggins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4082, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4082, a Bill for an Act concerning

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taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill's at the suggestion of the Cook County Treasurer, supported by the Illinois County Treasurers' Association and the Metro Counties Association. It amends the... requires that the tax sale purchasers deposit a bond of not less than \$1 thousand. Current law requires that bonds be one and a half times the... one and a half percent of the sum that is greater or less than a thousand, depending on the amount of taxes due. And this proposes to mandate a minimum of \$1 thousand, protects the counties in the event that a purchaser defaults on the Act. I'd be glad to answer any questions anyone may have."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4082?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And the House does pass House Bill 4082. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill... House Bill 5375, Representative Bost. Mr. Clerk, read the Bill. On Supplemental Calendar #1, Representative Bost. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5375, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 5375, a Bill for an Act in relation to municipal government. Third Reading of this House Bill."

Speaker Hartke: "Representative Bost."

Bost: "Thank you, Mr. Speaker. What we're simply doing if we can, I'd ask for the House's approval to move this over to the Senate as a shell Bill, because of the late... length of the fact that we can't get things out of committee today, and things are running a little bit late, we'd like to move it over... work on it over there and then bring it back."

Speaker Hartke: "Mr. Granberg."

Granberg: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Granberg: "Representative Bost, I'm sorry I couldn't hear you. It is a shell Bill currently?"

Bost: "It is a shell Bill and then we're gonna move it over to the Senate and work on it over there."

Granberg: "Sure."

Bost: "It is our... It is my intention to deal with the problem with my local district. They're trying to get a sales tax to fund their local school. We're gonna work on that, and then we'll bring it back before the House from over there."

Granberg: "Okay, very good. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is 'Shall the House pass House Bill 5375?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Please man your switches. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 Members voting 'yes', 46 Members voting 'no'. And this Bill, having

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received a Constitutional Majority, is hereby declared passed. House Bill 4106, Representative Colvin. Mr. Colvin. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4106, a Bill for an Act concerning tax anticipation loans. Third Reading of this House Bill."

Speaker Hartke: "Representative Colvin."

Colvin: "Thank you, Mr. Speaker. House Bill 4106 is very simple in its premise, but its intent is very serious. House Bill 4106 simply requires those facilitators who administer refund anticipation loans to disclose any fees, interest rates, or penalties that are associated with those loans."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4106?' All in favor, signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5057, Representative Cowlshaw. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5057, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Cowlshaw, has been approved for consideration."

Speaker Hartke: "Representative Cowlshaw on the Amendment."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is a very simple Amendment. It came out of committee last night. It simply validates the publication notice that was put out in a local newspaper by the Naperville Park District in 1997. It does now appear there were three small typographical errors in

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that notice. This simply validates the notice. Thank you."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment #1 to House Bill 5057?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5057, a Bill for an Act concerning forest preserves. Third Reading of this House Bill."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "I have explained the Amendment. The Amendment becomes the Bill. I would appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5057?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 Members voting 'yes', 1 person voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4355, Representative Collins. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4355, a Bill for an Act concerning courts. Second reading of this House Bill which has been read, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4355, a Bill for an Act concerning

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courts. Third Reading of this House Bill."

Speaker Hartke: "Representative Collins, explained by Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4355 would provide for Members of the Illinois Supreme Court to have judicial security officers under the Supreme Court Act. And I would be happy to answer any questions. That's basically what the Bill does and I would urge an 'aye' vote."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Cross."

Cross: "Thank you, Mr. Speaker. I... Representative, I want to make sure I understand this. The members of the Illinois Supreme Court would have full... would they be full-time security officers?"

O'Brien: "Yes."

Cross: "Would they travel with them?"

O'Brien: "They... yes, they... at the discretion of their justice, whoever they were assigned to. If the justice simply wanted them for days when they were in session or when they were in Springfield, then they could be there, but they... this would give them the power, the authority to exercise their powers all across the state. So if they were traveling somewhere for something they could go with them."

Cross: "Do you... what kind of money are we talking to fund a program like this?"

O'Brien: "Most of them, it's already in their budgets, so I don't have a fiscal note, because they already had, sort of, allotted for this, but then they determined that they don't... didn't think they had express authority to do it. So they'd already had some money put aside for this, but I

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don't know exactly the total dollar amount at this time."

Cross: "Mary Kay, I... and I... I guess I'm trying to understand where this idea originated. I mean, I... Have there been... Have the supreme court justices here in Illinois been threatened with their lives, recently? I haven't heard of any cases about that."

O'Brien: "I haven't had anyone tell me that their life has been threatened, and as a matter of fact, I think that because of the real appearance of impropriety, I have not had a supreme court justice contact me individually. But when I spoke with the individual who brought me the idea for the Bill, that they have had some threats and this has even been more exacerbated following September 11th. That from time to time, depending on the decisions that they make, they have threatening letters, threatening phone calls. You know, people that say they're gonna be coming to the supreme court building and that this was something that a number felt that they really wanted to have the security and while they are actually physically in session, the Secretary of State Police are there. But the minute they walk outside of the building, they are no longer there. So if somebody was waiting for them in the parking lot or something. While we hope that would never happen, unfortunately you know, in this day and age, it could happen and it was a real concern to some, but not all of the members."

Cross: "All right. And I... I guess I'm... And I don't want to... I'm not trying to give you a hard time, Mary Kay. I just... I... It seems if this passes, the next step is the appellate court coming in, and then the circuit judges and then the associates judges. And I... I have to tell you, I would think the circuit judges, perhaps who are on the

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firing line, if you will, on day... in the day-to-day courtrooms, might have the greater risk of angering or upsetting someone, than a supreme court justice that individual litigants or defendants, probably are never in front of. And I just... I wonder, are there plans... are there plans to continue adding, and as I said to... having appellate court justices followed by circuit judges, having security officers."

O'Brien: "I don't have any plans to add them, but I do know that I was recently in court in Will County where a circuit judge was threatened. And, you know, as well, actually it's been just about a year ago and, you know, there was somebody there to take care of it. But it might be something if they felt the threats were serious enough, that we need... that at some point we might have to take a look at."

Cross: "Do all of the supreme court justices want... have they made... gone on record as to whether or not they want security officers? There's been some dispute over here. That... we've been told that the women justices don't even want security."

O'Brien: "Well, I know that seven of the nine indicated that they wanted them. That the two women indicated that they didn't feel the need at this time, but that they were not opposed to it. But you know, I guess maybe they're just a little bit tougher."

Cross: "So am I led to believe that COWL is not for this Bill and they're gonna take the side of the women... the female judges?"

O'Brien: "Well, I think that, you know, one of the purposes of COWL is that they always try and look out for, for the weakest. Whether it's children or whether it's, you know,

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a weakling supreme court... a male supreme court justice."

Speaker Hartke: "Let's keep our remarks to the Amendment and the Bill."

Cross: "Wow. All right. So... and I... incidentally, Representative... and I'm not... wasn't try to sandbag you earlier, my understanding now from our side, is that, this is a \$300 thousand cost to the state budget, and you may have something that, that... that's what we've been told and as... certainly with salaries, that'll go up on an annual basis. But that it... there is an initial \$300 thousand cost to the state budget to have the men protected on the supreme court."

O'Brien: "Right. I mean, my... I don't have anything to dispute your figures, but I know that it's already a part of their... I mean, they're gonna make it a part of their budget and that their budget does anticipate an increase to cover this. But, you know, again like I had said earlier, I'm... I was not sure of the exact dollar amount."

Cross: "All right. Thank you very much."

Speaker Hartke: "Further discussion? Representative Erwin."

Erwin: "Thank you, Speaker. With all due respect to the Sponsor, who I don't want to go into premature labor or anything, so... I don't want to upset you, Mary Kay. But, with all due respect, I really don't think this is a good idea. I mean, I... you know, arming everybody is not a good idea. If there's a supreme court justice that feels that there's a threat or is under some intimidation, the State Police ought to be called in immediately. I just don't think that setting up all of these quasi police officer that don't have real law enforcement training, just giving people guns, is not a good idea. I think it's telling that it was the women justices who don't feel the need for this. I

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don't think that this is a good idea at all. So, I would urge a 'no' vote."

Speaker Hartke: "Representative Biggins."

Biggins: "Thank you, Mr. Speaker. I concur with my colleague's resent comments there, preceding me. But I also duly noted that a few minutes ago, Representative Berns did a Bill and in the middle of the debate, introduces a child on the floor, across the way. It worked. It worked for him. I'm very happy for you. But now, Representative O'Brien, you've gone a step... I don't know if it's further or a step... which way that step is, but it might work for you, too. But to the seriousness of the Bill, I don't think this is a good idea. The supreme court justices pride themselves on being anonymous. So why would you give them something so obvious as a vehicle first of all, and then an armed guard. Wouldn't that cause people to look at them as they moved around? And if their cars have their supreme court plates on them, the guessing game could be over for that, too. So, I just don't think this is a good idea at this time, but I yield the rest of my time to Representative O'Brien."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker. I too have great respect for the Sponsor. But earlier there... a couple of hours ago, I saw an education budget purposed where my district 150 was gonna lose a million and a half bucks. I just as soon 300 go to the schools instead of the overpaid court. Thanks."

Speaker Hartke: "Further discussion? Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Regardless of how I feel about the Sponsor, I think this is a good Bill. The Bill, as you know, supreme court justices in this state are called on to make some very difficult decisions make... having to do

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with life and death. Very tough decisions, many times they're dealing with the... on the ultimate arbiter in areas such as capital punishment cases and other areas. They do receive threats. They receive 'em on a constant basis, and I believe we should provide them the same protection as we provide the Comptroller, the Treasurer and all other constitutional officers."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative O'Brien to close."

O'Brien: "Thank you. I just want to make one response before I urge your 'aye' vote and that is that the Illinois State Police were requested to come in and provide security for members of the Illinois Supreme Court following some threats. They decline... they would not do so for a couple of reasons. One, they didn't know that... didn't believe that they had the express authority. And number two, they said budget limitations prohibited them from doing it, and so they would not take on the task. And that being the case... they don't with the Secretary of State, there's no authority for it. It would be like an individual citizen. So they felt they didn't have the authority and they certainly didn't have the money and it's something that, I don't think we want to see something terrible happen and I would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4355?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Please vote your switches. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 61 Members voting 'yes', 51 Members voting 'no', 4 Members

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voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4999, Representative Currie. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4999, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Barbara Flynn Currie, has been approved for consideration."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. Under current condominium law, if the board votes for expenditures of a particular size, then the owners are permitted to overrule that decision, provided they do so in 14 days. What this Amendment does is make sure that the owners have notice of the decision by the board to spend at that level. That's all it does and I'd appreciate your support."

Speaker Hartke: "There any discussion? The Chair recognizes Representative Black, on the Amendment."

Black: "Thank you very much, Mr. Speaker. To the Amendment, inquiry to the Clerk."

Speaker Hartke: "Yes."

Black: "Mr. Clerk, did Floor Amendment #1 get out of the Rules Committee?"

Speaker Hartke: "Yes, it did."

Black: "Doggone it. All right. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, did former Representative Levin sign in, in favor of this?"

Currie: "No."

Black: "Well, then I don't know what to do in a condominium Bill unless I know where he is. And I have no idea where he is,

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quite frankly."

Currie: "No idea... I have no idea either."

Black: "Thank you."

Speaker Hartke: "Further discussion? Representative Feigenholtz."

Feigenholtz: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Feigenholtz: "Representative Currie, is this a effort... do you know if this has been approved by the Chicago Bar Association?"

Currie: "The Chicago Bar Association gave me the language. This did not come from a lawyer who deals in condominium law, as so many of the measures before us in this area do. This came from a constituent, someone who lives in a condominium and who discovered that the members of the organization could veto significant expenditures proposed by the board, but they have a limited time in which to do it and they... there was nowhere in the statute that they were afforded notice that the board was making that kind of expenditure. The lawyers who deal in this area, of course, had a better way to create the notice than did my constituent and the Amendment, as I say, came from the Chicago Bar."

Feigenholtz: "Thank you very much."

Speaker Hartke: "Further discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4999?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 4999, a Bill for an Act concerning property. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker. I've explained the Bill. It's precisely the notice requirement I mentioned."

Speaker Hartke: "The question is... Is there any discussion? The question is, 'Shall the House pass House Bill 4999?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Rules Report."

Clerk Bolin: "Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, to which the following measure/s was/were referred, action taken on April 5th, 2002, reported the same back with the following recommendation/s: 'direct floor consideration' for House Amendment #2 to House Bill 5646 and House Amendment #1 to House Bill 5654."

Speaker Hartke: "Representative Hassert on House Bill 3993. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3993, a Bill for an Act in relation to counseling. Third Reading of this House Bill."

Speaker Hartke: "Representative Hassert."

Hassert: "Thank you, Mr. Speaker. House Bill 3993 simply amends a regulatory sunset Act and also Professional Counselors and Clinical Professional Counselors License Act. It removes the sunset from December 31, 2002 to January 1, 2013 and makes some technical changes in the underlying Bill. I'll be happy to try to answer any questions."

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Speaker Hartke: "Is there any questions on House Bill 3993?
Seeing that no one is seeking recognition, the question is,
'Shall the House pass House Bill 3993?' All those in favor
signify by voting 'yes'; those opposed vote 'no'. The
voting is open. Have all voted who wish? Have all voted
who wish? Have all voted who wish? Mr. Clerk, take the
record. On this question, there are 117 Members voting
'yes', 0 voting 'no', and 0 voting 'present'. And this
Bill, having received a Constitutional Majority, is hereby
declared passed. House Bill 5281, Representative Kosel.
Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5281, the Bill's been read a second
time, previously. No Committee Amendments. Floor
Amendment #1, offered by Representative Kosel, has been
approved for consideration."

Speaker Hartke: "Representative Kosel."

Kosel: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
chamber. This Bill establishes a nurse imaging program,
for the purpose to educate the general public on the
critical roles of nursing plays in delivery of health
service and to entice people to enter that profession."

Speaker Hartke: "Is there any discussion on the Floor Amendment
#1? Representative Slone."

Slone: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Slone: "Representative Kosel, what is the... what is the
appropriation approved or proposed for this program?"

Kosel: "I... I'm sorry I did not hear you."

Slone: "What is the amount of the appropriation proposed for this
program?"

Kosel: "The amount is \$3.5 million. It is taken out of the
Nurses' (sic-Nursing Dedicated Professional Fund, that has

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a balance of over \$11 million in it and it's in the process of taking in an additional 500... \$5 million. So, there's adequate funds already in there and will not require any new GRF funds."

Slone: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5281?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5281, a Bill for an Act in relation to the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Any further discussion on House Bill 5281 as amended? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5281?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5889, Representative Dart. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5889, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Dart."

Dart: "Thank you, Mr. Speaker and Members of the House. This Bill is an attempt to address our abysmal staffing levels

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that we have in the Department of Corrections right now. It's a... I have visited most of the prisons and one of the things that stands out at you is just how much we put our correctional officers in jeopardy every day by understaffing our prisons, talking about privatization, closing prisons down, and laying people off. In 1985, our staffed inmate ratio is 1 to 3, we're now at 1 to 5. All along, while the population has been increasing, we're going the opposite direction. And the assaults are increasing. What this tends to do is... will require the Department of Corrections to adequately staff their facilities. It's a minimum we could be doing for these folks right now, who put their lives on the line every single day. And I'd appreciate your support."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, why is the Department of Corrections opposed to this Bill?"

Dart: "Because they don't want to adequately staff the prisons."

Parke: "No, no, no, no. Don't say that."

Dart: "No."

Parke: "That's just not right."

Dart: "That's accurate."

Parke: "No, I don't believe that for a minute."

Dart: "Have you visited the prisons lately?"

Parke: "Is there financial consideration here?"

Dart: "Pardon me?"

Parke: "Is there a financial consideration?"

Dart: "Financial consideration, I would say to you, if in fact we didn't... we just didn't spend about \$5 or 6 million on new

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uniforms that nobody wanted, \$1 million on new badges that nobody wanted, countless... thousands of dollars on new cars that weren't needed... I'd say, well maybe you were accurate. But when you go spending that type of money, when you could be and should be staffing adequately these facilities, I would say to you, they made the choice. They decided their priority was not to staff adequately. And they decided to go in a different direction. I don't know how else to explain it. It's a pretty objective, in my opinion."

Parke: "How much money is it gonna cost to do this?"

Dart: "Well, according to their fiscal note, they don't have any dollar sign attached to it."

Parke: "How much, how many... what's the additional staffing that you want to put on?"

Dart: "They didn't come up with that number for me, either."

Parke: "Well, what does your Bill want to do?"

Dart: "My Bill wants them, based on the type of prison they're in... the type of prisoners in the facility, that they will then have the adequate number of prisoners. And as I say, there's numerous factors that come into play here. The age of the facility. An older facility has poorer sight lines. You're gonna need more staff for that. A facility that has maximum security prisoners in it, you're gonna need more people for that, than you are for a minimum security prison. So, those are the things that are laid out in the Bill. I left it to them then to take those broad measures and come up with a figure. I didn't want to come up with a figure for them and say listen, you've gotta have three for this prison, five for this prison and six for this one, because they move the prisoners around enough... what could be a maximum one day, will not be a maximum the next day.

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So you have to give them these broad lines."

Parke: "Do they have to report to the Body on what decisions they've made or..."

Dart: "They would be during the appropriation process, correct."

Parke: "Just a minute, please. Thank you, Representative."

Dart: "Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question... Mr. Dart to close."

Dart: "I'd appreciate a favorable vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5889?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114... 115 Members voting 'yes', 1 person voting 'no', and 1 person voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4890, Representative Lawfer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4890, a Bill for an Act concerning farm products. Third Reading of this House Bill."

Speaker Hartke: "Representative Lawfer."

Lawfer: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. This puts into place a lot of things that the Department of Agriculture are already doing, and it also requires any eggs that are past 60... 30 days of selling date, that they will not be sold at wholesale... or retail they will go to a breaker (sic-broker). So it's a... puts in place things that are already happening at the Department of Agriculture, but it insures that there'll be fresh eggs in the grocery store. I'll be glad to answer any questions."

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Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Stephens."

Stephens: "Will the Gentleman yield?"

Speaker Hartke: "The Gentleman will yield."

Stephens: "Representative does this include Australian eggs?"

Lawfer: "No, I don't think so, but we're trying to figure out yet, on this Bill, whether... which comes first, the chicken or the egg."

Stephens: "Is it true, that you're being lobbied very hard from the... from the continent of Australia right now?"

Lawfer: "Would you repeat that please?"

Stephens: "Would you introduce the lady to your right?"

Lawfer: "Well, I'll be glad to at your request. I'd like to introduce our oldest daughter, Kathy Lawfer from Cairns or Cookstown, Australia."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Lawfer to close."

Lawfer: "I ask for a 'yes' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4890?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106... Mr. Speaker, a 'yes'. On this question, there are 117 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4696, Representative Davis, Monique Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4696, a Bill for an Act concerning the State Comptroller. Third Reading of this House Bill."

Speaker Hartke: "Representative Davis."

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Davis, M.: "Thank you, Mr. Chairman... Mr. Speaker. House Amendment 1, which was adopted the other day, the other day, states that the Comptroller would add to his duties the inspection of crematories at the time that the Comptroller's men go and do audits of the... what do you call it... funeral homes. And they would have to have a license to operate them. He would inspect to make certain that the permit issued by the EPA was on display. I believe that this piece of legislation would require individuals that operate these devices to have training and to receive a certification from a recognized training institution. It permits the Comptroller to inspect the crematory and verify that the devices have a license and are operating properly. It requires the crematory authority to notify the agent that authorized the cremation, for any reasons, if delay occurs. It duplicates provisions from the Cemetery Protection Act, that any person who, without proper legal authority and who knowingly, willfully destroys or damages the remains of a deceased, will receive... be guilty of a felony. I think we debated this when the Amendment was added, Mr. Speaker, but I will stand for questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4696?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 6032, Representative Krause. Mr. Clerk, read the

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Bill."

Clerk Bolin: "House Bill 6032, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 6032, a Bill for an Act concerning health care service contracts. Third Reading of this House Bill."

Speaker Hartke: "Representative Krause."

Krause: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill now becomes a... it's been shelled, and it becomes strictly a vehicle Bill. The Bill was to address issues as to the fairness and health care contracting. There had been a task force, which had worked on this issue through the summer and into the fall. What we'd like to do, is send this shell over to the Senate in the hopes that the parties could continue to discuss this issue and attempt to reach some type, perhaps, of an agreement."

Speaker Hartke: "Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I'm also a member of that task force, along with Representative Saviano. Representative Krause, is it your intention to send this across and hold that Bill for some agreed language..."

Krause: "That is correct."

Mautino: "...on there as we work forward on this?"

Krause: "That is correct."

Mautino: "With that, go ahead and send the Bill. I support it."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor yields."

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Black: "Representative, I appreciate the fact that you've enlightened us, that this is a shell Bill. Can you give us some, some intent on your part as to the form it will take before you were to bring it back and ask us to pass it, or..."

Krause: "It would be stated strictly to see if the parties again, could get an agreement, Representative, and nothing short of that. This has gone on and there's been a lot of discussion, a lot of hearings. But unless, in fact, there is an agreement, there's no basis to it."

Black: "Okay. All right. Fine. Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is... Representative Miller. He declines recognition. The question is, 'Shall the House pass House Bill 6032?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 Members voting 'yes', 18 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4053, Representative Leitch. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4053, a Bill for an Act in relation to local government. Third Reading of this House Bill."

Speaker Hartke: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill makes a series of some technical changes and it also extends the lives of the TIFs of nine communities, represented by Members on both sides of the aisle. With respect to the technical change, there were

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six places in the Bill we passed last year, where the phrase, 'ten or more inhabited residential units', was not either uniformed, it was not included, it was omitted or improperly located in the Act. And so, in six places in the Bill, that phrase is put into its proper place. With respect to the TIF extensions, they relate to nine communities: Freeport, Aledo, Sparta, Tuscola, Clinton, Beardstown and Belleville. I would emphasize that in each case, one of the requirements is that both school districts as well as the communities send letters of support for the TIF extension. With that, Mr. Speaker, I know of no opposition and would ask for a favorable Roll Call."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4053?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there were 115 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5654, Representative Brady. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5654 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Brady, has been approved for consideration."

Speaker Hartke: "Representative Brady."

Brady: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 5654 is a joint venture from the DuPage County State's Attorney, myself and other agencies throughout this state, regarding a protocol, a simple

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protocol be developed between the coroner, sheriff, state's attorneys, other law enforcement officials, simply stating how they intend to handle homicide and other questionable death investigations, simply defining each agency's role, not telling the counties or the agencies what to put in their protocol, simply asking them to come to the table and have a protocol together, so people know what the respective duties are. I'll be happy to answer any questions and I ask for a 'yes' vote."

Speaker Hartke: "Is there any discussion on the Amendment?
Representative Osmond."

Osmond: "Yes. Will the Sponsor yield for a question?"

Speaker Hartke: "Sponsor yields."

Osmond: "Representative Brady, what is the reason for having a fire department as part of this team?"

Brady: "Well, the thought with having the fire department, would be simply that they are... the majority of the time an agency that's first on a scene and simply to seek their input and how they want to be involved in the protocol... have them at the table if they choose to do so."

Osmond: "Is that typically because they have the EMS personnel there?"

Brady: "EMS, fire rescue, whatever agency may be involved."

Osmond: "Again, in many parts of this state there are separate rescue units apart from fire departments and I have no opposition to the Bill, per se, but I think that if it gets over to the Senate, you might want to broaden that language so that you include the EMS personnel that would respond. So that if you get to a community that, in fact, the fire department is not that entity, their response to the scene first, you have the people that you want to have at the table, at the table. So, I would just broaden that a

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little bit and make the... somehow incorporate EMS or EMT's or however the appropriate rescue designation would be in there. Thank you."

Brady: "Thank you very much, Representative Osmond. We'll certainly take that advice and broaden it as you suggested, 'cause the design is for EMS."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5654?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5654, a Bill for an Act concerning counties. Third Reading of this House Bill."

Speaker Hartke: "Representative Brady."

Brady: "Thank you, Mr. Speaker and once again, Ladies and Gentlemen of the House. I simply ask for a 'yes' vote, and stand to answer any further questions, any of my colleagues may have of me."

Speaker Hartke: "The question is, 'Shall the House pass, House Bill 5654 as amended?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3933, Representative Flowers. Mr. Clerk, please read the Bill."

Clerk Rossi: "House Bill 3933 has been read a second time, previously. No Committee Amendments. Floor Amendment #1,

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offered by Representative Flowers, has been approved for consideration."

Speaker Hartke: "Representative Flowers on the Amendment."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 was adopted last night and it provide that if a policy... the Amendment deals with the coverage of an AIDS vaccine that once approved, that the insurance company would pay for it. It also deals with the prescription of nutritional supplements. It also provides coverage for pain medication and I move for the adoption of Amendment #1."

Speaker Hartke: "... there any discussion? The Chair recognizes Representative Parke."

Parke: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Parke: "Representative, how many different kinds of parts are there to your Amendment?"

Flowers: "There's only one Amendment, and it deals with the subject matter of coverage for three different types of things."

Parke: "Okay. Now, it says pain medication coverage."

Flowers: "Yes."

Parke: "And what does that do?"

Flowers: "Well, our Department of Insurance and our newly created consumer division found out that poor women were not being given epidurals for pain medication because they were unable to pay, so..."

Parke: "Does that mean, they... they had no health insurance?"

Flowers: "It could have been that they did not have the coverage in the health insurance."

Parke: "So, if they don't have the coverage, we want the state to pay for it, where other people pay for the coverage."

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Flowers: "Representative..."

Parke: "Right?"

Flowers: "According to the Department of Insurance, I don't know if it was because they didn't have coverage or they could not afford to pay. But the fact of the matter is, this is information from the consumer division of the Department of Insurance."

Parke: "Tell us about the AIDS vaccine that's involved in this."

Flowers: "There is soon to be an FDA-approved vaccine for AIDS. So right now, the insurance policies does not have the language or the coverage once it becomes official. So, this is proactive legislation. So, no insurance company could deny a person, saying that they don't have the authority to do so. We are now giving the insurance companies the authority for the vaccine, so when it does become approved, people can purchase it."

Parke: "All right. On the prescription birth control, can you tell us a little bit about that part of the Bill..."

Flowers: "Sure."

Parke: "...of the Amendment?"

Flowers: "Sure. It merely says that if an insurance company provides coverage for the treatment of impotency, then that policy must provide coverage for prescription drugs for the prevention of pregnancy."

Parke: "Is birth control defined to exclude, to exclude, abortifacient drugs?"

Flowers: "Pardon me?"

Parke: "I said is your definition of birth control defined to exclude abortifacient drugs?"

Flowers: "No."

Parke: "So, they're... so the abortifacient drug part of it is included in your Amendment."

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Flowers: "Oh, you... I'm sorry, Representative... What you...
What is your question again?"

Parke: "Again, the question simply is, in your definition of
what's to be covered under birth control, defined to
exclude abortifacient drugs?"

Flowers: "Let me double check that. While we're looking that up,
would you like to ask something else, Sir? Representative,
on line 15, page 3 of the original Bill, it deals with the
prevention, the prevention of pregnancy, not after you're
pregnant."

Parke: "So, so you're saying the abortifacient chemical abortive
drugs are not to be included."

Flowers: "You're correct, Sir."

Parke: "They are not included. Then, fine."

Flowers: "You are absolutely correct and again, I refer you to
page 3, line 15."

Parke: "Thank you for your answers, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes
Representative Krause."

Krause: "Thank you, Mr. Speaker. If the Sponsor would yield?"

Speaker Hartke: "Sponsor will yield."

Krause: "Still being on Amendment #1, Representative, and as was
discussed in the Health Care Committee yesterday, I think
your Amendment adds several mandates to the underlying
Bill. Is that correct? Representative, I..."

Flowers: "I'm sorry, Representative."

Krause: "Yeah, that's all right. Amendment #1 now would add
mandates for prescription nutritional supplements, pain
medication, and I think the AIDS... coverage for the AIDS
vaccine coverage. So, Amendment #1 would increase... would
add three mandates over and above the underlying Bill,
which was for birth control coverage."

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Flowers: "Yes, Representative..."

Krause: "Okay."

Flowers: "I'm adding those three elements to the existing Bills."

Krause: "Those three items."

Flowers: "Yes."

Krause: "Okay. Just very briefly, to the Amendment."

Speaker Hartke: "To the Amendment."

Krause: "As I stated in the Health Care Committee, I believe that that Committee had passed out and has always supported the underlying Bill for the birth control coverage. However, the Amendment, I believe, goes beyond what we should be doing at this time. I think that the underlying Bill should stand on its own and that this Floor Amendment #1 also should have stood on its own. But I do not believe that there is a basis at this time to now add on as a mandate the three additional provisions that are provided in the Amendment. If the Amendment becomes part of the Bill, unfortunately then, I personally do not... would not support the entire Bill. If the Amendment were not on the Bill, I would still support the underlying Bill. Thank you."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3933?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments. Several notes have been requested on the Bill as amended and the notes have not been filed."

Speaker Hartke: "The Bill will remain on Second Reading. Representative Flowers."

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Flowers: "I don't think the fiscal note should be applicable, because there's no state impact on this."

Speaker Hartke: "The question is and the Motion of the Lady that the fiscal notes are inapplicable. Representative Black."

Black: "Mr. Speaker, like you, I would like to move the process as quickly as possible. But in all due respect to the Sponsor, the State of Illinois is one of the largest insurers in the state. And the taxpayers pay premiums in the amount of millions of dollars for the CMS group health insurance, for the subsidy insurance to various retirees. To say that this particular proposal has no cost impact, is disingenuous at best. And obviously, there is a cost and there is a direct cost to the state, as we insure through tax funds, thousands of people. So I, I would, I would just simply say to the Lady, in all due respect, she's in the Majority Party, she can get the fiscal note in a very short period of time. There is most definitely a cost involved and involved to the taxpayer."

Speaker Hartke: "Mr. Parke."

Parke: "Thank you, Mr. Speaker. And in the near future, the Economic and Fiscal Commission who has the responsibility to approve the CMS budget that includes prescription drugs, we're gonna make it be approving that contract. And let me assure you, that unfortunately there is a significant increase in the cost of health care to the employees of this state and to say that this is not going to increase the premiums, is obviously a misunderstanding of the process by the, by the Sponsor of this request. We're gonna have an extremely difficult time even coming up with enough money to pay for the CMS budget as it is for health care costs this year, let alone next year. So please, by all means, we cannot accept the Sponsor's Motion on this."

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It certainly is applicable and I would ask the Body to sustain the request."

Speaker Hartke: "The question is, on the Motion to... is the note inapplicable? If you are for hearing the Bill, you would vote 'yes'; if you're... would like to see the Amendment... of the notes not apply... Let me start over. The questions is, 'Do the notes apply?' Representative Flowers says they do not apply, therefore a vote with Representative Flowers, would be a 'yes' vote; a vote with Representative Black, would be a 'no' vote. Mr. Black."

Black: "Mr. Speaker, I've made my point."

Speaker Hartke: "You did."

Black: "I think there's definitely a cost. But I would ask for a parliamentary inquiry of the Chair. If we're going to do this in one Motion, then I would ask to divide the question and we vote on each, each note as to it's applicability."

Speaker Hartke: "Okay. This is on the note Act. All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. This is the Fiscal Note Act (sic-Amendment) only. Have all voted who wish? It's the majority of those Members voting. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Have all voted who wish? Mr. Clerk, take the record. On this question, there were 57 Members voting 'yes'; 59 Members voting 'no'. Therefore, the Fiscal Note Act (sic-Amendment) applies and the Bill remains on Second Reading. Representative Flowers."

Flowers: "Speaker, I would like to table the Amendment."

Speaker Hartke: "The Motion is to Table Amendment #1. Mr. Black."

Black: "Thank you very much, Mr. Speaker. Parliamentary inquiry."

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Speaker Hartke: "Well, that's what we're checking on."

Black: "Yeah, on the precedent of Motions. I believe the Motion to Table at this time, might be subjected to a superior Motion that we will file, if the parliamentarian agrees."

Speaker Hartke: "What Motion are you referring to?"

Black: "I'm not gonna tell you my Motion until you tell me your Motion."

Speaker Hartke: "Well, that's fair. Mr. Black, it takes 60 votes to Table a Motion and..."

Black: "Yes. Mr. Speaker..."

Speaker Hartke: "...is your Bill...would be what?"

Black: "Yes. In the precedence of Motion, her Motion to Table would take precedent. My Motion would be to let the, let the Lady's Amendment stay on the Bill. We'll withdraw our note requests. She has a right to carry her... she has a right to present her Bill."

Speaker Hartke: "She'll withdraw the Motion. The notes are withdrawn. All notes are withdrawn. Mr. Black, your request for the notes are withdrawn?"

Black: "Yes, Mr. Speaker. Our requests for notes are withdrawn. You want me to..."

Speaker Hartke: "Paperwork will follow. Okay. No, I'm not gonna go to Third Reading, yet. I'm gonna take this Bill out of the record right now and we'll be right back with it, as soon as the paperwork catches up. Okay. House Bill 3933, Representative Flowers, Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3933, a Bill for an Act concerning insurance coverage. Third Reading of this House Bill."

Speaker Hartke: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3933 as amended, pardon me. Oh, wait a

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minute, no, no."

Speaker Hartke: "It's amended."

Flowers: "Mr. Speaker, would you please give me clarity on House Bill 33..."

Speaker Hartke: "Mr. Clerk, what is the status of the Amendments on House Bill 3933?"

Clerk Bolin: "Floor Amendment #1 has been adopted to the Bill."

Speaker Hartke: "Representative Flowers."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I present to you House Bill 3933 as amended. The purpose of this Bill is for coverage, coverage of sick people. I'm asking any insurance company that provide impotency medication would also provide for the treatment of the prevention of pregnancy. I'm asking, Ladies and Gentlemen, that the insurance company provide for the coverage of AIDS vaccine, that could save the insurance company money. I'm asking, Ladies and Gentlemen, for the insurance company to do as they should be doing already, that is providing nutritional supplements for people that they have already paid to go into the hospital, have an operation on their stomach, but the insurance company is not paying for the food that would be needed to keep the people alive, after they've just paid out thousands of dollars for insurance. And lastly, Ladies and Gentlemen, I'm asking the insurance company to honor their contract for poor people who have insurance, but the insurance company does not give them a choice in regards to the type of pain medication if it's not guaranteed... according to the Department of Insurance. The Department of Insurance brought the pain medication as well as the, as well as the prescription nutritional supplement to my attention, that the people have insurance and they're not paying for it.

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I'll be more than happy to answer any questions you may have to House Bill 3933 as amended."

Speaker Hartke: "Representative Parke."

Parke: "Thank you, Mr. Speaker. To the Bill."

Speaker Hartke: "To the Bill."

Parke: "Ladies and Gentlemen, the insurance company that she refers to, the Sponsor refers to, is the health care for the state employees, which the taxpayers pay. It is estimated that the cost just for the administration of the plan by CMS, will be 3.4 million, plus the group insurance program would be raised to 2.9 million. Right now, we're estimating over \$150 million short in our group insurance premiums. I understand the need that is expressed by the Sponsor, but this is not the time to be doing this. I think it is not the time for us to be adding the financial burden on an overly burdened group health care program in this state. And if this gets the required number of votes, I ask for a verification of the Roll Call."

Speaker Hartke: "Mr. Miller."

Miller: "Thank you, Mr. Chair and Ladies and Gentlemen of the House. To the Bill."

Speaker Hartke: "To the Bill."

Miller: "I rise in strong support of this legislation. I know many Members on the... both sides of our aisle, may be concerned with the birth control or the oral contraceptive measure of this, of this legislation. However, there are many women who are hearing my voice take oral contraceptives not just for preventing birth, but also for pain medication and that... no other medication can relieve, relieve them. Also, for lower levels of estrogen, too and so that's why it's not just simply for birth control, when we think of oral contraceptives. The

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previous speaker spoke about budgetary items and it's not in the budget and money and all these things. Earlier today, we released many budgets based on, from Human Services and other departments, based on what our priorities are. This legislation, once again, demonstrates of where are our priorities, that we need to make sure that women are protected whatever their decisions are, just like other members and other people who are covered under health insurance. I would ask all Members of the General Assembly to support this measure and cast 'aye' votes."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker, and Ladies and Gentlemen of the House. I rise reluctantly in opposition to the Lady's Bill. If you look at the Amendment very carefully, this goes far beyond what she has discussed previously on the House Floor. It is not... you can't just boil this down into a simplistic sound bite that if you cover Viagra you must also cover a contraception. The Amendment takes it far beyond that. It gets into pain medication. It gets into nutritional supplements. It gets into all kinds of areas of health care coverage. And in a perfect world, I would not, I would not in any way stand in opposition to the Lady's Bill. I removed our opposition to the Bill. She has every right to present it and she's very good at what she does and she's very serious and very sincere about what she does. And as a previous speaker said, yes, we have... some of you have passed Bills today in excess of revenues to pay for them. Fine, I think I voted for one or two. And I'm willing to stay here until June to find the money and I know if we don't find the money, then that vote's meaningless and it isn't gonna happen. We're \$900 million, at least, out of balance.

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Some of you haven't been here. You weren't here ten years ago, when the blood literally ran down the aisles and the tears that were shed were real and the pain we inflicted was equally as real. I'm a father. I'm a husband. I have four grandchildren and in a perfect world I wish insurance could cover every conceivable malady and difficulty that we face in this world. I stand before you as a person who had cancer of the colon and have gone through all of my adult life with a total colectomy and wear an ileostomy and those expenses are ongoing. I wear a surgical appliance every hour of every day of my life and I pay \$80 every two weeks for that appliance. I suppose I should come and try and say that retrospectively my insurance should cover those appliances, because they are expensive. And I sure as heck couldn't come out here without one. I suppose I could, but I think you would notice, if not by sight, certainly by smell. When all is said and done at the end of the day, I have to look myself in the mirror and say I did the best I could with the information that I had. And again, if money were no problem, if mandates were easily adopted and enforced and able to be done by insurance companies, I would stand here and join as a cosponsor. But I know in my own case, if I try to make certain coverages retrospective, the insurance carriers that would carry me, would simply say at some point, we are no longer going to carry you. We cannot afford the risk. When we agreed to carry you, you were a young man and you did not have an ileostomy. Times change, your situation changes, life is not always fair. This would be an easy Bill to vote for. It would be an easy Bill to go home and tell my wife and my daughter that I voted for. But both of them, I think understand that ultimately, every time we mandate a procedure to be covered

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and paid for by an insurance policy, which is a business driven by underwriting decisions, at some point, that business will begin to pull out of some markets, because they can't make a profit by covering and paying for every mandate that we think they should. And I have voted for some of those mandates. I've joined with the Sponsor not long... not many years ago, when the drive-through deliveries were becoming... something that insurance companies were doing. Give a baby... give birth to a baby at 10 o'clock and get out of the hospital by 6 that night. I thought that was an outrage. I wish I could vote for this. But when all is said and done and you cut through the rhetoric and you cut through the press release and you cut through the brochures and the political talk and not, not that Representative is doing that. She's sincere and serious and dedicated to her cause. And I respect her for that and that's why we withdrew the notes. But you have to look at that, this Bill, in the totality of the costs and the dollars that are available to do what we're asked to do. This has about a \$4 million cost just for the state employees' coverage. I don't know anything about the coverage in the private sector. It probably will be more than that. So it's for that reason, not playing political games, not standing in opposition to something that quite frankly, I consider Representative Flowers to be a friend of mine and I respect her. But I must, in good conscience, rise in opposition to this Bill. No matter how much I'd like to vote for it, I know the dollars aren't there to pay for the procedures. And all I can promise the Representative is that I will continue to work with her and see how we can address some of the loopholes, if that's the right word, or the inconsistencies may be a better word, in

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insurance coverage that does exist, knowing full well, that we will never be able to make this process perfect and fit everyone's personal needs or desires. Folks, it's never been the case, it never will be."

Speaker Hartke: "Representative Flowers to close."

Flowers: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is not about retrospectiveness. It's specifically state on page 4 line 3, that this will be renewed after the effective date of the Bill, that's number one. Number 2, Ladies and Gentlemen, what the Department of Insurance found out is that these people have paid for this coverage. And the insurance companies was renegeing on them. You have paid for a service, thinking that if you got sick, that you would have the coverage and they're not giving it, Ladies and Gentlemen. That's what this Bill is all about. And let me say to you, that we're talking about a cost savings here. If you imagine an insurance company paying for a stomach operation, which would cost thousands and thousands of dollars to save your life and you will die because you can't come up with \$48 to pay for something like Ensure. You should die for that? This legislation, Ladies and Gentlemen, is a cost avoidance here. We're talking about avoiding unwanted pregnancies. We are talking about avoiding AIDS because there is a preventive mechanism out there. We're talking about avoiding big hospital bills, because you don't have to go and stay in long, because you have the nutritional supplement and you can come out earlier. We're talking about a cost savings here. More importantly, Ladies and Gentlemen, we're not asking anyone to give us anything. We're paying for it and we're talking about people's lives here. That's all we're talking about, people's lives. What else is important on

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this House Floor, than to talk about our constituent lives.

I urge an 'aye' vote on House Bill 3933."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3933?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. There has been a request for a verification. Please vote your own switches. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 50 Members voting 'yes', 64 Members voting 'no', and 3 Members voting 'present'. Representative Flowers."

Flowers: "Mr. Speaker, take the Roll."

Speaker Hartke: "It's done. And this Bill having received a... to receive a Constitutional Majority, is hereby declared lost. House Bill 4879, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4879 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4879, a Bill for an Act concerning the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4879 is a shell Bill. I was requested by one of the Members to handle this, as they'd already had too many Bills. Apparently, their negotiations have not been successfully concluded at this point. They would like to continue and move this Bill over to the Senate in order to culminate their agreement and I would simply ask for an 'aye' vote."

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Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4879?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, Mr. Clerk, take the record. On this question, there are 63 Members voting 'yes', 53 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5140, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5140, a Bill for an Act in relation to child support. Third Reading of this House Bill."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We discussed the Amendment to this Bill, which becomes the Bill, yesterday. But I just wanted to remind you, this legislation changes our child support system from a social service model to a legal model. House Bill 5140, provides the tools necessary to develop a more efficient, customer friendly child support services program, by reducing the number of governmental agency a family has to deal with, providing accountability at the local level, and increasing performance standards. I do want to express my appreciation to Representative Hamos, Representative Bellock, who worked on this legislation with me. I also want to express my appreciation to the Department of Public Aid, who was very cooperative. But also the State's Attorneys Office, both in Cook and DuPage County who are taking on this responsibility and I would appreciate your support."

Speaker Hartke: "Is there any discussion? Seeing that no one is

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seeking recognition... Representative Mautino."

Mautino: "Hi, I've just a couple of questions, if the Sponsor'd yield."

Speaker Hartke: "Sponsor will yield."

Mautino: "Have the... have the Cook and DuPage County state's attorneys made commitment to take this on with the same amount of funding... or what's the level of funding that they're looking at with it?"

Lyons, E.: "That is yet to be determined. They, both the Cook County and the DuPage County State's Attorneys Office, have consented to taking this responsibility on and..."

Mautino: "At the current level of funding?"

Lyons, E.: "No, but they have to work... they... that has to be determined working with the Department of Public Aid. And what we're hoping is, that there will be a formula applied to each case, so that the appropriate funding can be determined. But a plan would have to be approved by the department and the department would be doing the funding. And the State's Attorney..."

Mautino: "There's a couple of things in... that I wanted to ask you also. But, go ahead and finish."

Lyons, E.: "Well, I just wanted to let you know that the State's Attorneys Office in both DuPage and Cook are willing to work with the department on the funding question."

Mautino: "If you would go to the Bill itself, on Page 6, lines 24 and 25 have the phrase in them. I'll give you some time to get to that there, but it's... 'For state's attorneys cases, as of the effective dates of this Act.' What's... What is meant by that term, I guess, in there?"

Lyons, E.: "That was a request by the state's attorney... yes, that was a request by the State's Attorneys Office, because they felt as though they should not be responsible until

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they... this is implemented. They shouldn't be responsible for past cases and that, as of the effective date of this Act, they will be taking on those responsibilities."

Mautino: "I guess what I'm trying to get at then, do custodial parents after that effective date or after the date of the new Act when new cases come in, will those cases go back to the Department of Public Aid for account reviews?"

Lyons, E.: "This, this plan is to be phased in, and there is going to be a transitional period. So yes, the department will be taking care of those cases until this new operation is implemented. And then the goal is, that the cases will then be the responsibility of the State's Attorneys Offices."

Mautino: "I just wonder if the language that the State's Attorneys Office had put in there is in conflict. With that, your line 6 that you have there, for the effective date of the Act, they're gonna be responsible for those cases, but once the Act is, is in place, from what you just said, we're still gonna have to go back to the Department of Public Aid for account reviews."

Lyons, E.: "As I said, there will be a transition period."

Mautino: "Thank you for clarifying that. I just... I remember our last transition period, and I'm hoping that if the system is working out all right now, that we don't end up spending another \$11 million in emergency checks, should something go wrong."

Lyons, E.: "Well, I think what... and we're very mindful of that, too... what this legislation does not do, is turn off a switch one day and turn on a switch the next day. As I said, we are going to have a transition period, and have a phase-in of this operation."

Mautino: "How does this then work with the feds, I mean, this

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whole ordeal came about simply because the feds said, we will have one..."

Lyons, E.: "I'm sorry, you have it confused with the state disbursement unit. That... is that what you're referring to? This is not... this has nothing to do with the state disbursement unit, inasmuch as this has to do with more customer service. The state disbursement unit..."

Mautino: "I was actually asking that for Representative Davis, so."

Lyons, E.: "Oh."

Mautino: "But... No, I'd appreciate if, when you send this to the Senate, you would take a look at, at those lines because it looks like a potential conflict there."

Lyons, E.: "Thank you."

Speaker Madigan: "Representative Garrett. Speaker Madigan in the Chair."

Garrett: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Madigan: "Sponsor yields."

Garrett: "Representative Lyons, I just have a couple of questions about this Bill. I think it's a good Bill and I actually got a call from some of the interested parties in Lake County and they wanted to participate also in this program, but they're under the impression that they cannot at this point in time. Can you just clarify for me why that is the case?"

Lyons, E.: "That is because, we are not aware whether the principals involved in Lake County have all bought into this. We know that the principals involved in DuPage and Cook County have bought into this. And they are all on board and supportive of it, but the other counties do have the option... later on to opt into this program."

Garrett: "How, how would other counties find out about it? I

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mean, what I heard was that this particular person found out about it, sort of through the grapevine. Have you put out this information to all the respective clerks and..."

Lyons, E.: "We have."

Garrett: "...in different counties, throughout the state..."

Lyons, E.: "We have."

Garrett: "...and so no other..."

Lyons, E.: "The clerks have been kept abreast of this document in process, all along."

Garrett: "Okay. So, at this point in time, they would have to initiate some correspondence with you, and... or with the Illinois Department of Public Aid? Or who would they contact?"

Lyons, E.: "At this point in time, they would have to wait for this program to be implemented before they could opt in. So, they would have to be patient at this point."

Garrett: "Okay. When would they... if they wanted to opt in and it was successful, how long would that wait be? I mean..."

Lyons, E.: "2000..."

Garrett: "...What's the process? What would they need to do?"

Lyons, E.: "2006 would be the earliest that they could opt in."

Garrett: "And that's just because it's a trial period? You want to see if it all works out okay?"

Lyons, E.: "Correct."

Garrett: "Okay. All right. Thank you."

Speaker Hartke: "Further... Representative Hartke in the Chair. Further discussion? Representative McCarthy."

McCarthy: "Thank you, Mr. Chair... Speaker. And I just think that this should be put on the public record that the Sponsor, who has worked very hard on this legislation, has committed to continue working with both the State's Attorneys Office in DuPage County and Cook County. We do

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still have lots of questions. The KIDS system is something that's come into question in many debates on this floor, and we in the Committee on Child Support certainly recognize the need for data in that system to be correct. And they will continue to work with the Department of Public Aid and both of the State's Attorneys Office in order to bring this to fruition, but it's an effort that is something that it'd be a great benefit to many of the custodial parents across our state, and I think it's something that we should certainly move forward at this time."

Speaker Hartke: "Representative Lyons to close."

Lyons, E.: "Thank you, Mr. Speaker. I'd like to thank Representative McCarthy for reminding me that it is true, that we are going to continue to work on this legislation. The State's Attorney's Office has, has offered some changes that I have agreed to and hope that they can take place on the Senate side. The Cook County Board has also asked for some changes, as well. And as I said, they're relatively minor changes, but we're willing to do that and really appreciate the cooperation of everybody involved. And would appreciate your support."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5140?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4667, Representative Hamos. Representative Hamos."

Clerk Rossi: "House Bill 4667, has been read a second time,

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previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hamos, has been approved for consideration."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker, Ladies and Gentlemen. This is a Bill that, as far as I know, does not have opposition. We've been working on this for the past four to six weeks with the gas companies and with CUB. This is a... dealing with a very important new phase of deregulation, something that all of our constituents will be learning about just as it's beginning to unfold, right now. What's going to happen now, with the natural gas market, as it becomes deregulated, is that consumers... residential consumers, small commercial customers, will be approached to buy their gas in a very new way. And they are going to be purchasing their gas from an alternative gas supplier or as one of our colleagues said yesterday, a supplier... an alternative supplier of gas. But I... what this Bill does, is to make sure that we have some consumer protections that are built into the law and we have, as I said, been working very diligently to make sure that the key stakeholders are sitting around the table, that they had an interest in the way that the language was created. And basically, that's what the Bill does. I don't think I need to go through the individual consumer issues that are covered in here, unless I get a question about that. But that's what we're trying to do here. We did that in a way that, you know, that was going to work for everybody concerned and I do thank all the players for their cooperation. And I thank... I ask for your 'aye' vote."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is,

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'Shall the House adopt Floor Amendment #1 to House Bill 4667?' All in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4667, a Bill for an Act in relation to utilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Hamos."

Hamos: "Thank you, Mr. Speaker. I think I explained the Bill and unless I get some questions, I would just seek your 'aye' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4667?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Beaubien."

Beaubien: "Yes. A point of personal privilege."

Speaker Hartke: "State... point."

Beaubien: "Yesterday, while Representative McAuliffe was presenting one of the more serious and controversial and helpful Bills for the State of Illinois, we had an incident of a reckless driving and operating of a chair. And an individual fell over and I happened to witness it and then when I saw the event, it reminded me of one of my favorite pieces of legislation, which will help save lives and injuries in the State of Illinois. So I went out and was

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able to purchase a seat belt. And now we're gonna call it a chair belt and I'd like to present it to Representative Black, so that in the future when he falls over that he will be safer."

Speaker Hartke: "And accepting of the award is Representative Black. Mr. Black."

Black: "Thank you very much, Mr. Speaker. I'll wear it with pride. But I do have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Mr. Speaker, I am worried about you. You've been in the Chair a long time. You're running through these Bills so fast, you sound like an auctioneer on an overdose of Prozac. Are you okay?"

Speaker Hartke: "I'm fine. Thank you for caring."

Black: "All right. You're beginning to mumble a little bit, though. Let's... let's make sure that you slow down."

Speaker Hartke: "I'm doing that on purpose."

Black: "Speak clearly. Okay. But do you need any water or anything? Can we get you anything?"

Speaker Hartke: "No thank you, I have some here."

Black: "Oh, well. Is that... what is that?"

Speaker Hartke: "As Johnny Carson used to say, you'll never know."

Black: "Thank you."

Speaker Hartke: "Representative Curry on House Bill 6012. Representative Curry."

Clerk Rossi: "House Bill 6012 has been read a second time, previously."

Speaker Hartke: "Representative Curry. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6012, has been read a second time, previously. Amendments 1 and 2 have been adopted to the

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Bill. No Motions have been filed. No Floor Amendments approved for consideration."

Speaker Hartke: "Representative Curry."

Curry: "Thank..."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 6012, a Bill for an Act concerning taxation. Third Reading of this House Bill."

Speaker Hartke: "Now, Representative Curry."

Curry: "Thank you, Mr. Speaker, and Members of the House. This is a Bill that we debated yesterday on the floor when I presented Amendment #2 to House Bill 6012. It sets in place a mechanism, whereby consumers, if they feel that they've been wrongly taxed by a municipality who has imposed a municipal maintenance infrastructure fee on their phone bill, there's a mechanism in place where they can challenge this and have the tax removed. We realize that there's more work to be done on this legislation. We'd like to continue that effort over in the Senate. Thank you."

Speaker Hartke: "Is there any discussion on House Bill 6012? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt... Shall the House pass House Bill 6012?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5557, Representative Marquardt. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5557 has been read a second time,

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previously. No Committee Amendments. Floor Amendment #1, offered by Representative Marquardt, has been approved for consideration."

Speaker Hartke: "Representative Marquardt."

Marquardt: "Mr. Speaker and Members of the House. This Bill is the result of an environ... the Environmental Regulatory Review Commission appointed by the Governor in December of 1999 to... it consists of 24 members appointed by the Governor. The purpose of this was to rewrite the EPA Act to make it more effective and understandable and useful. Accordingly, the Governor has directed and recommend ways to streamline the Act by eliminating outdated, unnecessary provisions. This legislation is the Commission's response to the Governor's directions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5557?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "Floor Amendment #2, offered by Representative Marquardt, has been approved for consideration."

Speaker Hartke: "Representative Marquardt on Amendment #2."

Marquardt: "Mr. Speaker and Members of the House. This extends...it Section 28.5 of the clean air fast track. For five years from December 31, 2002 to December 31, 2007. There's no substantial changes in these Bills, Mr. Speaker."

Speaker Hartke: "Is there any discussion on Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 5557?' All in favor signify by saying 'aye'; opposed 'no'. In the

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opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5557, a Bill for an Act concerning environmental protection. Third Reading of this House Bill."

Speaker Hartke: "Representative Marquardt on House Bill 5557."

Marquardt: "Mr. Speaker and Members of the House. I'd appreciate your support on this Bill."

Speaker Hartke: "The question... is there any discussion? Mr. Novak."

Novak: "Yes. The Sponsor yield?"

Speaker Hartke: "Sponsor yields."

Novak: "Roger, I noticed on Page 169, line 17. Could you explain that phrase, please?"

Marquardt: "Well, that obviously is an untutored question, 'cause that's answered on Page 167, line 3."

Novak: "Pardon me?"

Marquardt: "I say that's an untutored question, because it's answered on 167, line 3."

Novak: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5557?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 Members voting 'yes', 5 Members voting 'no', 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4618, Representative Hannig.

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Out of the record. House Bill 5780, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5780, a Bill for an Act in relation to schools. Third Reading of this House Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Thank you, Mr. Speaker and Members of the General Assembly. I'm sure that all of you have had incidents or heard of incidents about mold in school or other problems in our schools, such as some of the drinking water, the herbicides and other issues. In fact, in one of the schools the students actually staged a walkout, because of some of the issues with building construction. House Bill 5780, would allow local building, fire, and plumbing inspectors to share their expertise with school officials by reviewing school construction plans and periodically inspecting the actual construction. This will be done in conjunction with the local... I should say, with the regional school superintendent who will monitor this. I think it's a... it would certainly help school safety and I urge your 'yes' vote."

Speaker Hartke: "Is there any discussion? Representative Mitchell."

Mitchell, J.: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Mitchell, J.: "Representative, I know you've worked quite extensively with this particular Bill and I know there's been several groups that are opposing this Bill. Has your Amendment #1 changed the number of groups that are opposed to your legislation?"

Mathias: "Well, the... what the Amendment did is it tightened up the procedure. It set forth certain time limits where this would have to happen, and most importantly the Amendment

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set up a procedure, where the inspections would have to be done with a plan that's worked out with the regional superintendent. I have not personally heard from other than local school superintendents, who believe that this may delay the construction problem. Other than, I haven't heard personally of any other groups that may still be against it, although that may still be the case."

Mitchell, J.: "Delay the construction problem or construction process?"

Mathias: "I believe that most of them didn't object to the Bill as far as allowing the local inspectors to review the plans. I think if they were... felt that the part about them inspecting, actually the construction was where they had some concerns and we're still working with them if this Bill should pass the House and go into the Senate, I still intend to work with these groups to see if we can come to some agreement on those issues."

Mitchell, J.: "Representative, who can request copies of the construction plans under your Bill?"

Mathias: "Under the Bill, either the regional superintendent could ask the local inspectors to look at it, or the local inspectors can ask the regional superintendent to provide copies of the plan, so that they can comment. I think the most important part of the Bill or what's not in the Bill is that these inspectors cannot red tag, they can't fine... they can't stop the construction going on. All they can do is comment to the regional superintendent."

Mitchell, J.: "And is there a list of who becomes a local inspector? Can every plumbing, every lighting, every contractor become an inspector and then request the plans or, more importantly, reach... request to be able to inspect the construction itself?"

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Mathias: "Well, the way the Bill reads it says, 'if local fire, building, and plumbing inspectors in the municipality, fire district, or county in which the school is being constructed', can request the review of these plans."

Mitchell, J.: "So, it has to be an inspector that works for the city or is hired by the city itself when it's constructed."

Mathias: "Yes, city or the county, if it's... if the place... if the building is in the county."

Mitchell, J.: "City or county?"

Mathias: "Or if there is, for example, a fire district, then the fire district can request it."

Mitchell, J.: "So, now we've got city, county or fire district?"

Mathias: "Well, whoever has local jurisdiction of the building. Now..."

Mitchell, J.: "Whoever has local jurisdiction of the building."

Mathias: "In other words, if the building is within a municipality, then the municipality can ask. If it's outside of the municipality, but within the county, then the county can ask."

Mitchell, J.: "Okay. But for instance, Bureau Valley, which was a high school built in a rural area outside the city... the Village of Manlius, then the county of Bureau would be... have that responsibility?"

Mathias: "If it's not within the legal munici... legal bounds of a municipality."

Mitchell, J.: "Representative, does this cover just new construction and renovation?"

Mathias: "I believe, yes. It does cover construction or alterations."

Mitchell, J.: "And is there a dollar amount set on the alterations?"

Mathias: "No, there's no dollar amount at all in the Bill."

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There's no cost that's imposed on the schools for doing this, other than providing the initial plans. There's no fees. There's no permitting. There's no procedure for fines. Everything is just input to the regional superintendent."

Mitchell, J.: "So, in other words, if I had a school district with an older building that decided to add on a couple of classrooms to get rid of a portable classroom, which regional superintendents don't like, does that then throw that entire school open to inspection by a local inspectors?"

Mathias: "Well, the way the Bill reads, any inspection plan has to be done in conjunction with the regional superintendent. So, I suppose if the regional superintendent felt that it was necessary to review other things, that would really be something that would be worked on in the plan between the regional superintendent and the local inspectors."

Mitchell, J.: "So, under your Bill now, local inspectors cannot simply request to inspect to the Board of Education or to the superintendent of schools. It has to be through the regional office of education's office?"

Mathias: "That's correct. Since the regional superintendent ultimately has the liability for school construction... the ultimate liability, the request would be done through the office of the regional superintendent."

Mitchell, J.: "Representative, does this open up all older construction, permanent buildings that have been constructed, that are the responsibility of the regional office of education, does this then open them up to inspections by all local inspectors at the request of the regional superintendent?"

Mathias: "It... only if there is construction going on."

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Obviously, the regional superintendent has the right to request it, just like the local inspectors do."

Mitchell, J.: "So, a building that's already established in their annual reviews by the regional office of education, he can't then call in the local inspectors and have them inspect the building?"

Mathias: "That is not the intent of this Bill."

Mitchell, J.: "Okay. Thank you."

Speaker Hartke: "Further discussion? This Bill's on Short Debate. Representative Crotty."

Crotty: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. To the Bill. This Bill... I rise in strong support, even though as I look I see the opponents on here that I also have worked very closely on many of educational issues. But when we look at this Bill, we know ourselves with many of our schools that have put additions on, how costly that measure is. And it's cost... it's... it's a cost that's picked up somewhat by the state, but mostly by our taxpayers. This is just another way in which we can make sure that the projects that are going through on our schools are actually safe and really much better built. So, it's... it's something that when we go back home, I think we're hard pressed, not to assure our taxpayers that we're giving the building the best quality that we can in materials and in workmanship, but also by having our fire departments come in at a time when we're putting up these buildings, that we're assuring that students, their children, our constituents' kids are going to be safe. This is something that a few years back, one of my municipalities did, in fact, come to me about so I commend Representative Mathias on this Bill and I wholeheartedly hope that he gets everyone's support. Thank you."

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Speaker Hartke: "Representative Bassi."

Bassi: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Bassi: "Representative, have you spoken to any of the districts in your area about this particular piece of legislation?"

Mathias: "I spoke, in fact, this morning to the superintendent in District 102 who inquired as to what the Bill was and what the intent of the Bill was. I explained it to him."

Bassi: "And what was his response?"

Mathias: "His... He did not indicate whether he was for or against the Bill, he just wanted to know the details of the Bill."

Bassi: "Are you aware of any problems in your local schools with safety issues, in recent years with building issues?"

Mathias: "I'm sorry. There's too much noise in here, I could not hear you."

Bassi: "Okay. Are you aware... are you aware of any problems in your local schools where there have been safety issues with recent construction?"

Mathias: "There have been in... Are you talking about my own school district or throughout the Chicagoland area?"

Bassi: "In the Chicagoland area or... but specifically in your area."

Mathias: "In my area, I'm not aware of it, although as you probably know, I was Mayor in the Village of Buffalo Grove, and at that time that school district... there are many school districts that cover that area, some of which fully cooperated with us and voluntarily allowed us to inspect their schools. Others were very, very hesitant and in fact, would not allow us to make certain inspections, especially in areas that we felt that there were safety issues of the children involved. And I think that... I

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know the local superintendents are... have a problem as far as the delay that possibly could be caused by this, but I think that the safety of our children is more important than any possible delay."

Bassi: "To the Bill, Mr. Speaker."

Speaker Hartke: "To the Bill."

Bassi: "I do think that... I rise in opposition to this Bill. I do think that in general, most school districts are very cognizant in fact if not all very cognizant of safety issues. Since Our Queen of the Angels (sic-Our Lady of Angels) fire, a ways back, school districts have been very conscious of the health and life safety requirements to be sure of the safety of all of their children, and I rise in opposition to the Bill."

Speaker Hartke: "Representative Mathias to close."

Mathias: "Today, if a public school and a private school were built next to each other, the private school would have to get and be examined and inspected by all of the local inspectors, fire inspectors, building inspectors. They, in fact, would be a very safe school if they were built, whereas the public schools would not have that same requirement. All I'm asking is that we have equity, that our public schools should be as safe in building construction as our private schools and I ask for your 'affirmative' vote. Thank you very much."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5780?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 107 Members voting 'yes', 10 Members voting 'no'. And this Bill, having received a Constitutional Majority ,

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is hereby declared passed. House Bill 4618, Representative Hannig. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4618 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hannig, has been approved for consideration."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker and Members of the House. This deals with the Teachers Retirement Insurance Plan (sic-Teacher Health Insurance Fund). As you know, this plan was in a lot of financial trouble last year. We put together a three year bailout and we also put together a task force to try to try to find recommendations. The task force was to report to us by April 1st of this year, but unfortunately some of the Members were not appointed 'til about a month ago. The task force is meeting now and they've asked us to change the reporting date 'til December 1st of 2002 and also to sunset the task force itself on December 31st of 2002. So that's what the Amendment does and I'd ask for its adoption."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4618?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4618, a Bill for an Act in relation to executive agencies. Third Reading of this House Bill."

Speaker Hartke: "Representative Hannig."

Hannig: "Yes. The Amendment is the Bill now and I'd ask for your

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'yes' vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is 'Shall the House pass House Bill 4618?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4975, Representative Hoffman. Mr. Clerk, read the Bill. Hoffman."

Clerk Rossi: "House Bill 4975 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Hoffman, has been approved for consideration."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 simply shells the Bill. We're working on trying to get an agreement with the auto dealers and other interested parties. This Bill is a Bill that would address the insurance issues when an individual test drives or drives a loaner car."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment #1 to House Bill 4975?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4975, a Bill for an Act regarding

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vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "This is a shell Bill that deals with the issue of insurance when you have a loaner car from a dealer."

Speaker Hartke: "Mr. Black."

Hoffman: "And it simply shell..."

Speaker Hartke: "Mr. Black, do you have a question on this Bill?"

Black: "Thank you very much, Mr. Speaker. We have an inquiry of the Chair."

Speaker Hartke: "State your inquiry."

Black: "Yes. Staff... Our side of the aisle staff, believes the wrong Amendment was adopted to this Bill. The Gentleman wants to shell it, that's fine. But we think the Amendment adopted does in fact, not do that."

Speaker Hartke: "Representative Hoffman."

Hoffman: "Representative Black, is correct. I... we want to adopt Amendment #2, so we'd like to table... if you'd move back to second. Do whatever you'd like to do."

Speaker Hartke: "Let's move this Bill back to Second Reading and take it out of the record for time being. House Bill 4411, Representative Meyer. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4411 has been read a second time, previously. Amendment #1 was adopted in committee. No Motions have been filed. Floor Amendment #4, offered by Representative Jim Meyer, has been approved for consideration."

Speaker Hartke: "Representative Meyer on Amendment #4."

Meyer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #4 shells the Bill. This Bill... the underlying Bill deals with antiterrorism issues in the state. It's ongoing discussion. It's very, very close to being completed in agreement with all parties between

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DuPage State's Attorneys Office, the Press Association, the Governor's Office, the City of Chicago and labor unions. We need to have a little bit more work done on it. Again, and it will be an Agreed Bill if it's fleshed out over in the Senate and I'd like to send it over there."

Speaker Hartke: "Is there any discussion of Floor Amendment #4? Representative Black. He declines recognition. The question is... Is there anyone else? The question is, 'Shall the House adopt Floor Amendment #4 to House Bill 4411?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4411, a Bill for an Act concerning security information. Third Reading of this House Bill."

Speaker Hartke: "Representative Meyer."

Meyer: "Again, I'd like to send this over to the Senate for continuing efforts on the behalf of the parties that I outlined in the discussion on the Amendment."

Speaker Hartke: "The question is, 'Shall the House adopt... pass House Bill 4411?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Shhh. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 Members voting 'yes', 17 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative Currie for a Motion. Representative Currie for a Motion. House Bill 4091. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4091 has a Motion filed by

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Representative Currie, that pursuant to Rule 61, having voted on the prevailing side, she moves to reconsider the vote by which this Bill passed."

Speaker Hartke: "Representative Currie on your Motion."

Currie: "Thank you, Speaker. I'd like to withdraw the Motion."

Speaker Hartke: "The Motion is withdrawn. House Bill 5911, Representative Howard. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5911 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Howard, has been approved for consideration."

Speaker Hartke: "Representative Howard."

Howard: "Thank you, Mr. Speaker, Members of the House. I ask you to consider House Amendment #1 to House Bill 5911. It creates the Illinois Century Networks Special Purposes Fund. As a special fund in the state treasury and provides for deposits into the fund. Subject to appropriation. Monies in the fund may be expended for operating the Illinois Century Network. This Amendment provides that earnings attributable to monies in the Illinois Century Network Special Purposes Fund will be deposited back into the fund and not the General Revenue Fund."

Speaker Hartke: "Is there any discussion on the Amendment? The Chair recognizes Representative Garrett."

Garrett: "Mr. Speaker, I would like to change my vote on House Bill 4411. Can I do that? I don't know how to do that."

Speaker Hartke: "Sure."

Garrett: "From a 'no' vote to a 'yes' vote."

Speaker Hartke: "The Journal will reflect your wishes. Is there any discussion on Floor Amendment #1... Representative Black. He declines recognition. The question is, 'Shall the House adopt Floor Amendment #1 on House Bill 5911?'

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All those in favor signify by saying 'aye'; opposed 'no'.
In the opinion of the Chair, the 'ayes' have it and the
Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Howard. Mr.
Clerk, read the Bill."

Clerk Rossi: "House Bill 5911, a Bill for an Act concerning the
Illinois Century Network. Third Reading of this House
Bill."

Speaker Hartke: "Representative Howard."

Howard: "Thank you. House Bill 5911 provides that the Illinois
Century Network will become a service that creates and
maintains the high speed telecommunications networks
instead of it being, the high speed telecommunications
network. It removes the provision that network staffing be
supplied by the Board of Higher Education, by the Illinois
Community Colleges Board, by the State Board of Education
and any other agencies. It also provides procedures for
appointments to the Illinois Century Network Policy
committee. This Bill would also provide duties and powers
of the committee. It would be effective immediately."

Speaker Hartke: "Is there any discussion? Seeing that no one is
seeking recognition, the question is, 'Shall the House pass
House Bill 5911?' All those in favor signify by voting
'yes'; those opposed vote 'no'. The voting is open. Have
all voted who wish? Have all voted who wish? Have all
voted who wish? Mr. Cross. Have all voted who wish? Mr.
Clerk, take the record. On this question, there are 116
Members voting 'yes', 0 voting 'no', and 0 voting
'present'. And this Bill, having received a Constitutional
Majority, is hereby declared passed. House Bill 5596,
Representative Bill Mitchell. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 5596 has been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Bill Mitchell, has been approved for consideration."

Speaker Hartke: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker. Floor Amendment #2 shells the Bill. We want to send it over to the Senate where it can incorporate Amendment #1, which has no opposition. We just don't have enough time to address that."

Speaker Hartke: "Is there any discussion on Floor Amendment #2? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2 to House Bill 5596?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5596, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hartke: "Representative Mitchell."

Mitchell, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, Amendment #2 shells the Bill, we want to send it over to the..."

Speaker Hartke: "Mr. Granberg."

Granberg: "The... Will the Gentleman yield?"

Speaker Hartke: "Gentleman yield."

Granberg: "Representative, what is the intent of the shell Bill? What do you intend to do?"

Mitchell, B.: "We have Amendment, Amendment #1, which we have no opposition. The insurance and the lawyers all agree on it. We couldn't get time to address that, so we want to send this over. They'll incorporate one in there and send it

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back to the House."

Granberg: "Okay. Thank you, Representative."

Mitchell, B.: "Thank you."

Granberg: "Have you been voting against all these shell Bill's, previously?"

Mitchell, B.: "No. I vote for a few."

Granberg: "Thank you."

Speaker Hartke: "Further discussion? Since no one is seeking recognition, the question is, 'Shall the House pass House Bill 5596?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 Members voting 'yes', 26 Members voting 'no', and 1 Member voting 'present'. And the House does... And this Bill, having received a Constitutional Majority, is hereby declared passed. Mr. Novak, are you seeking recognition? He declines. House Bill 5975, Representative Hoffman. Mr. Clerk, read the Bill. 4975, Mr. Hoffman. Mr. Clerk."

Clerk Rossi: "House Bill 4975 has been read a second time, previously."

Speaker Hartke: "Representative Hoffman."

Hoffman: "This should be an Amendment... Amendment #2."

Speaker Hartke: "Mr. Black. We're correcting our, our board. Mr. Hoffman on the Amendment."

Hoffman: "Thank you, Mr. Speaker. This corrects the previous Clerk's error."

Speaker Hartke: "Mr. Black."

Black: "Yes. Mr. Speaker, I think what we have here is a failure to communicate. I think, I think the wrong Amendment was adopted and if the Gentleman wants to shell the Bill, we

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have no objection. But we need to get it on the record that the wrong Amendment was adopted and what he needs to do is adopt Amendment #2. Now if you can work that out with the proper paper trail, so that somebody said we were not in violation and therefore the Bill actually never happened... that's fine with me, we'll not object. But Mr. Speaker, let me admonish you once again, and quietly admonish you and in the greatest respect for you, Sir. Things done quickly, withers fast. Things done slowly, lasts and lasts."

Speaker Hartke: "Parliamentary decision can fix the problem. Mr. Parliamentarian."

Parliamentarian Uhe: "Representative Black, on behalf of the Speaker, Floor Amendment #1 was not approved for consideration, therefore it was out of order, pursuant to House Rule 40 (e) and that vote was out of order."

Speaker Hartke: "Mr. Hoffman on Amendment #2."

Hoffman: "So, this would shell the Bill as we indicated."

Speaker Hartke: "Now, is there any discussion? Since no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #2?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4975, a Bill for an Act regarding vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Hoffman."

Hoffman: "This is a shell Bill that will eventually deal with the automobile dealers association's issue concerning insurance with... on loaner cars."

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Speaker Hartke: "Is there any discussion? Seeing none, the question is, 'Shall the House pass House Bill 4975?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment... All those in favor of the Bill to vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Poe, are you seeking recognition? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 84 Members voting 'yes', 33 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4124. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4124, a Bill for an Act concerning sex offenders. Third Reading of this House Bill."

Speaker Hartke: "Representative Jefferson. Mr. Hoffman to explain the Bill or Mr. Jefferson? Mr. Jefferson."

Jefferson: "Thank you, Mr. Speaker. House Bill 4124 is amended by House Amendment #1, reflects the official report that was released by the Sex Offender Management Board Public Act 90-133 created both the 20 member board, the fund in the state treasury and the Governing Act with the mandate that the board issue a comprehensive report to the General Assembly regarding the standardized procedures and programs developed and outline the plans for the implementation and research and analysis of convicted sex offenders where the juvenile or the..."

Speaker Hartke: "Is there any discussion? Mr.... Representative Mulligan. The Lady from Cook."

Mulligan: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Mulligan: "Representative, is there anything mandatory in this

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that says that either sentencing or anyone that has anything to do with the State's Attorneys Office in working with this, will have... pay any attention to this report after it's done?"

Jefferson: "I'm sorry, could you repeat that please?"

Mulligan: "Does it carry any weight to have this report done with either the sentencing or the State's Attorneys Office or anybody that would handle this case, if you're doing such a report? Does it... will it carry any weight, or is it just an extra report that's being done?"

Jefferson: "It carries a lot of weight, yes."

Mulligan: "Sorry, what did you say?"

Jefferson: "Yes, it carries a lot of weight."

Mulligan: "To what extent would you think it would make a difference?"

Jefferson: "If you have a review based on the findings, it better informs the State's Attorneys Office as to the action they should take."

Mulligan: "So if the recommendation was in favor of a lesser degree of sentencing or anything, would that carry any weight at all, or what good is this for?"

Jefferson: "I think that would be up to the State's Attorneys Office at that point."

Mulligan: "Who pays for this?"

Jefferson: "The sex offenders."

Mulligan: "So the defendant pays for it?"

Jefferson: "I'm sorry."

Mulligan: "The defendant would pay for it."

Jefferson: "There's a fund, yes."

Mulligan: "And who would be able to access it? Would the defendants' attorneys be able to access it? And would it be part of the record?"

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Jefferson: "The offender is the only one that pays for it.

There's a primary level of funding."

Mulligan: "Thank you."

Speaker Hartke: "Representative Mulligan, are you finished? Just a minute. Representative Mulligan have you finished your questioning?"

Mulligan: "Yes."

Speaker Hartke: "Okay. Representative Jefferson to close."

Jefferson: "Thank you, Mr. Speaker. There are no known opponents to this Bill. I would urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4124?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 117 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5567, Representative Rutherford. Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 5567, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1 has been adopted to the Bill. No further Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5567, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hartke: "Representative Rutherford."

Rutherford: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. We talked on this, yesterday. It's in regards to the Amendment that became the Bill. Today we have three different portions to set the rates for reimbursements to

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our nursing homes. One of those is support. One is capital and the largest component to it is nursing. Today, we use an antiquated system, called the inspection of care. What we're looking to do here is to change the rate-setting mechanism for reimbursement to our homes. To utilize a... utilizing a minimum data set, which is already being collected as a requirement of the Federal Government. So we are not talking about duplicating any type of services. We're also talking about having the medical needs follow that actual individual. There's a two-year hold harmless in it for facilities that may have a different rate or lower rate reimbursement. All of the nursing home associations in the state are supportive of it, as is the Department of Public Aid and it is budget neutral."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Coulson."

Coulson: "Thank you very much, Mr. Speaker and Ladies and Gentlemen. Not to belabor the point, but I just want to point out that this is a very necessary piece of legislation. We must be able to change the way we measure the needs of clients so that the dollars will follow the clients in nursing homes. And it will move our state into the current decade of health care in nursing homes and I urge your support. Thank you."

Speaker Hartke: "Is there any discussion? Representative Rutherford to close."

Rutherford: "Thank you, Mr. Speaker. I would just say briefly, that we have had a number of nursing homes close around the state, and part of it is the inaccuracy... inadequate funding from State Government. But also part of it is in the way in how those funds are distributed. This will go a long way to start to correct that. A rational

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reimbursement, once again where the dollars will follow those with the most medical needs. And I'd appreciate a favorable Roll Call."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5567?' All those in favor will signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Clerk, take the record. On this question, there are 116 Members voting 'yes', 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5637, Representative Mulligan. Representative Mulligan. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5637, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5637, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Mulligan."

Mulligan: "Thank you, Mr. Speaker. Once again, the tableau on the marquee is wonderful. House Bill 5637 is amended... amends the Criminal Code. It provides that as a Class IV felony, 1 to 3 years for a first offense and a Class III felony, 2 to 5 years for a second or subsequent offense. For a person to send a message to a certain or a specific minor by telephone, e-mail, the Internet or any on-line service that is harmful material with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of the person or the minor with the intent of seducing that minor."

Speaker Hartke: "Is there any discussion? Representative

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Garrett."

Garrett: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Garrett: "Representative Mulligan, the only question I have about this Bill is how can you enforce it, especially when the Internet goes from state to state?"

Mulligan: "That's why we amended the Bill to be specific for that person or sending to a specific minor. It will be a little harder to do that, but they do it now quite... by running stings and do... and getting control of that person. You may not be able to enforce it, if they don't live in this state, but I would assume that it would be doable if they did."

Garrett: "Okay. I'm for the Bill, but I just want to make sure that there aren't some major problems and loopholes. If somebody is being seduced who happens to live in Illinois, but is being seduced by somebody from Iowa, how does Illinois deal with that?"

Mulligan: "Representative, it would have to be sufficient enough, I would think, for them to extradite them, which probably wouldn't be. So I would imagine, what it would be is mostly symbolic for... to be in this state or if other states pass similar laws. I'm... I have... I don't have a criminal legal background, so..."

Garrett: "Well, my only suggestion is that whoever picks it up in the Senate, if they could add the language in that it is obviously specific to Illinois or make it more comprehensive, so there are no... there isn't confusion on this. Because it could be confusing if a child was being seduced by somebody from another state and the parent finds out and finds we have a law, but we really can't do anything about it."

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Mulligan: "But I think if you... if you... it would be the same if it was... if it is delivered in this state, I would think that would be committing the Act in this state also."

Garrett: "It may be, but it doesn't from the language in the Bill, you can't tell. So, I guess my only recommendation is whomever picks it up in the Senate, that they do specify that, so it is clear on the enforcement."

Mulligan: "Well, I'm sure they'll take a look at this and decide what they want to do with it over there, but I would be hopeful that that would be the case."

Garrett: "Thank you."

Speaker Hartke: "Further discussion? Representative Franks."

Franks: "Representative... Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Franks: "I understand what you're trying to do here, and I think it's very important to have this type of legislation so we don't have predators. As I'm reading the legislation though, I want to ask that maybe there's... if this was your intent, because it says 'every person who would acknowledge that a person was a minor'. You did not specify that that person would have to be an adult. And I'm wondering how this would play out, if there was two 17-year-olds writing love letters back and forth?"

Mulligan: "That what... my understanding is, it would be under the juvenile court, but we did amend it to be more specific, so it couldn't be just like a blanket e-mail. And I don't know... and depending unless a parent were to get angry about two children going back and forth, if that would ever come to light."

Franks: "I just want to make this sure that this law works. And I'm worried that the way it's written, that it would not work. So I... if we send this over to the Senate, I'd like

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to see it amended to have the language more specific. Because I think what you're trying to do, and tell me if I'm right is to stop adults preying on minors."

Mulligan: "Absolutely."

Franks: "Okay. I'm not sure the way that it's written, that would accomplish that goal, and I think it's a goal that we all want to accomplish. But I'm gonna vote for your Bill. I'm just thinking when it sends over to the Senate, let's make sure that we get the language correct."

Mulligan: "The Senate normally is supercilious about doing anything like this. And I think the concept was out there and we worked on it somewhat in the House, but we amended it to be more specific to a person, but not totally in line with all the law, which I find a problem here, too."

Franks: "Okay. Thank you."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Mulligan to close. Representative Mulligan to close."

Mulligan: "I appreciate the comments made on the Bill. I'm sure the Senate will take this into consideration and it's certainly something that has to be looked at as, as technology increases in more of these problems. And I would appreciate an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5637?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk. Mr. Clerk, take the record. On this question, there are 115 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5715, Representative Currie. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 5715. A Bill for an Act in relation to fees. Third Reading of this House Bill."

Speaker Hartke: "Representative Currie."

Currie: "Thank you, Speaker and Members of the House. This is an initiative of the Circuit Court of Cook County. It applies only to the county of Cook and at issue are two provisions, essentially. One would say that the Clerk can accept credit card payments above \$300 for purposes of bail and second, the measure would impose a fee for the creation of document evidence storage, should the county board approve that decision. The fees are between 1 and \$5 with the exception that a petition to reconsider a final judgement or order of the court would cost \$75. Municipalities are exempted from the fee provisions. I would be happy to have your support for House Bill 5715."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Wright."

Wright: "Thank you, Mr. Speaker. This is to the previous Bill. Could I be... Could the record reflect that I voted 'yes' on that previous Bill?"

Speaker Hartke: "The record will so reflect."

Wright: "Thank you."

Speaker Hartke: "Representative Franks."

Franks: "To the Bill."

Speaker Hartke: "To the Bill."

Franks: "I understand what the Sponsor's trying to do, and I think it's good that we can try to accept payments by a credit card. But once again, this Bill has another insidious fee, allowing the clerk to collect between 1 and \$5. Thank you. Thank you. We've seen this in other Bills, one that got 99 votes against it the other day by increasing court costs and freezing poor people out of the

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court house. This Bill does much of the same and charging \$5 for a court document evidencing fee is just another garbage fee, like you see on mortgages. They've already got the ability to microfiche and to do this they can handle it without increasing fees. I'd ask everyone to vote 'no'."

Speaker Hartke: "The Chair recognizes Representative Lang."

Lang: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this Bill. You know, even though this Bill only applies to Cook County. Cook County Court System has some of the highest court fees in America. Maybe the highest court fees in America. It's just a couple of years ago that we passed a Bill raising those fees. To raise them an additional amount is going to start to tell people they can't use the court system. The court system is supposed to be free and open to all litigants and we should not make these fees a bar to the use of the court house. So while I understand the Clerk of the Circuit Court who's a friend of mine has a need for more storage facilities and wants to use these funds to accomplish that, this is not the way to do it. We cannot continue to raise higher and higher court fees making it more and more difficult for people to use the court system. Please vote 'no'."

Speaker Hartke: "Is there any further discussion? Seeing that no one is seeking recognition, Representative Currie to close."

Currie: "Thank you, Speaker and Members of the House. Nothing insidious about these fees at all. I did describe them in my opening remarks. The problem in the county of Cook in the circuit court clerk system, is that there is not the resource to maintain the evidence that needs to be stored.

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And if you want to come up with some dollars to help solve that problem I'd be happy to hear about it, but lacking a willingness on the part of the state to pick up the cost, the Circuit Court Clerk has no where else to go. These fees would only be imposed if the county board were to approve the decision to expand the evidence storage facility but obviously, each of us will have to make our own determination. And as I say, I bring this quite straightforwardly from the Circuit Clerk Court of Cook County and I would appreciate your 'aye' votes."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5715?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 11 people voting 'yes', 97 people voting 'no', 7 people voting 'present'. And this Bill, having failed to reach the Constitutional Majority, is hereby declared lost. House Bill 4211, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4211, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative McCarthy, has been approved for consideration."

Speaker Hartke: "Representative McCarthy on Floor Amendment #1."

McCarthy: "Thank you, Mr. Speaker. Your timing is wonderful as always. The Amendment to House Bill 4211 I am happy to say has really tightened up the Bill. It's removed the opposition to the Bill from the Coalition Against Domestic Violence. It makes it very clear that this only applies to felonies and it only applies to the current address or the employers' address, instead of the whole file from public

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aid. So the people who asked me to take this out of the record the other day, I want to thank them. There was at times I doubted their sincerity, but they worked with me and Representative Righter, who became a Sponsor of it, and I really do appreciate it. I think the Bill was not ready for passage when I presented it the other day. I think it is ready today, and I would appreciate your affirmative votes on the Amendment, as well as the Bill."

Speaker Hartke: "Representative Novak. Your light is on."

Novak: "Yes, yes. I had a question for the Sponsor."

Speaker Hartke: "Proceed."

Novak: "Yeah. Thank you, Mr. Speaker. Mr. McCarthy, I was looking on the video screen. I was wondering... well, when you were presenting the Bill, are you wearing white pants today?"

McCarthy: "I appreciate you pointing it out, my friend. But it's actually a checkered suit. I think it's a plaid, a tartan plaid, as a matter of fact and..."

Novak: "Tartan plaid..."

McCarthy: "And that's not the official tartan of our state and of yet..."

Novak: "Does tartan plaid kind of clash with white pants?"

McCarthy: "...it soon will be if we're all..."

Novak: "Or boxers, I mean pants. I'm sorry. I was just curious."

Speaker Hartke: "To the Amendment, Mr. Novak."

McCarthy: "I'm always proud to see you care so much about me."

Speaker Hartke: "Is there any discussion on the Amendment? Representative Cross."

Cross: "I don't do this often, but I want to acknowledge the Representative his work in working with the concerns of many on this side on the aisle. Representative, I

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appreciate that. You address the concerns that many of the people had concerning domestic violence groups and we appreciate that and it's a better Bill now and thank you very much."

Speaker Hartke: "Further discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Amendment #1 to House Bill 4211?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4211, a Bill for an Act concerning disclosure of information. Third Reading of this House Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. And I appreciate the comments that were made before on the Amendment and I think it does make it a better Bill and I would appreciate a affirmative vote."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4211?' All those in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Please record yourselves. Have all voted who wish? Mr. Hannig. Mr. Clerk, take the record. On this question, there are 111 Members voting 'yes', 2 Members voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5906, Representative Simpson. Mr. Clerk, read the Bill."

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Clerk Bolin: "House Bill 5906, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Simpson, has been approved for consideration."

Speaker Hartke: "Representative Simpson. Representative Simpson on the Amendment."

Simpson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 becomes the Bill. It creates the End Stage Renal Disease Facility Act. This is similar to legislation that passed out of the House, unanimously, last year. Amendment #1 represents a compromise between the Illinois State Medical Society and the Department of Public Health. The Illinois State Medical Society is no longer opposed to this legislation. There is one mistake that will be rectified in the Senate, which removed the exemption from licensing requirement for all facilities, license under the Nursing Home Care Act. That will be removed in the Senate. I ask that the Amendment be adopted."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Cross."

Cross: "I understand we're just dealing with the Amendment at this stage, Mr. Speaker. But I need to know, is... And it's an inquiry of the Chair. I... She may... She may wish to answer. Is this her first Amendment?"

Speaker Hartke: "Mr. Clerk, is this a first Amendment on the Bill?"

Cross: "No. Is it the first Amendment that she's presented before this Body?"

Speaker Hartke: "I don't know."

Cross: "Well, I'd like to know."

Speaker Hartke: "Representative Simpson, would you answer the

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question?"

Simpson: "Yes, it is."

Cross: "Oh. That's all I wanted to know, Mr. Speaker. Are...
Mr. Speaker, are you going to go to Third Reading after
this Amendment?"

Speaker Hartke: "Yes, I am."

Cross: "Since it is her first Amendment."

Speaker Hartke: "Yes."

Cross: "Okay. Thanks."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor of
the Amendment yield?"

Speaker Hartke: "The Sponsor of the Amendment will yield."

Black: "Yes, thank you. Representative, you indicated in your
opening remarks to your Amendment that there is still a
mistake... an error... I didn't catch the exact words that
you used that would have to be corrected by the Senate.
Since the Senate is only here two or three days out of the
month, who will the Senate Sponsor of this Bill be?"

Simpson: "I have two Sponsors in the Senate. Senators..."

Black: "Well, you can only have one, Representative."

Simpson: "Well, it'll be Senator Geo-Karis and Kathy Parker."

Black: "Senator Geo-Karis?"

Simpson: "Yes, Sir."

Black: "Is that one person or two?"

Simpson: "Trust me, Sen... Trust me, Mr. Black, that she is
definitely one person."

Black: "I... I'd certainly second that. What, what is the...
what is the error that will need to be corrected in the
Senate?"

Simpson: "In the Amendment, we removed the exemption from the
licensing requirement for all facilities, licensed on the

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Nursing Home Care Act. That will be removed. That will be taken out of the Amendment."

Black: "I'm sorry, you removed the license requirement for who?"

Simpson: "The exemption for the Nursing Home Care Act for nursing homes. Nursing homes will be exempt from this Bill."

Black: "Is it not possible for you to change that before final passage? Couldn't you have changed that with another Amendment? I don't like to see Bills leave this chamber that are flawed."

Simpson: "I don't know that there is time."

Black: "Well, are you telling me the end is near? What do you mean, there isn't time?"

Simpson: "Representative, I would be happy to follow your advice, provided that I could get this over to the Senate."

Black: "To the Amendment, Mr. Speaker."

Speaker Hartke: "To the Amendment."

Black: "From a historical perspective, Members of this chamber have generally agreed that nothing leaves this chamber unless it's in its proper form and that no Amendment shall be adopted before its time. She is in violation of both of those historic rules and is saying in effect, let's just send something out of here, whether it's right or wrong and we'll trust the Senate to make it right. Ha. Well, Mr. Speaker, you do what you have to do, I'll do what I have to do."

Speaker Hartke: "Thank you. You may vote 'no' on the Amendment. Is there further discussion on the Amendment? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5906?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5906, a Bill for an Act concerning health facilities. Third Reading of this House Bill."

Speaker Hartke: "Representative Simpson."

Simpson: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this is the End Stage Renal Facility Act... Licensure Act. (sic-End Stage Renal Disease Facility Act) I would like to take the time to thank Representatives Brosnahan and Wirsing for having the foresight to move this legislation out of this House twice. Unanimously, I might add. However, it gets stuck in the Senate and I think that with the Amendment that the compromise that has been reached will... we'll finally be able to do something and get this legislation passed. I ask for its adoption, simply because an incident that has arisen in my district... there are a hundred sixteen of these facilities statewide and everyone here will have a constituent that is affected by this. In a dialysis center in my district, 25 percent of the patients coming out of this facility have been infected with hepatitis C. I have one constituent that since his infection has been unable to get a... get open heart surgery because the enzyme levels from the disease make him ineligible for an operation. I think that while I understand my compatriots desire to tease me, this is important and I think that it is a much needed law for the State of Illinois and I respectfully ask for its adoption. Thank you."

Speaker Hartke: "Representative Granberg."

Granberg: "Will the Lady yield?"

Speaker Hartke: "The Lady will yield."

Granberg: "Representative, I'm gonna support your Bill but I just

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have two very quick questions. Are you familiar with the Director, Ed Wood?"

Simpson: "No, Sir."

Granberg: "Okay. Did you buy that sweater from Ed or from..."

Simpson: "No, no. I can't say that I have, Representative."

Granberg: "Okay. Thank you."

Speaker Hartke: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, let me make one thing very clear to you. There is no teasing on the floor of the Illinois House of Representatives. This is a professional Body. If you saw the movie about the female professional baseball league, let me paraphrase manager Tom Hanks. Teasing, teasing, there's no teasing on the House Floor. I... Quite frankly, I'm shocked and appalled at you, Representative. You said something in your remarks that really, really caught my attention. You said this Bill has already passed this chamber twice, under a Democrat Sponsor and a Republican Sponsor. Is that in fact true?"

Simpson: "Yes, Sir."

Black: "And what has happened to this Bill when it has gone to the senior chamber on the other side of the rotunda?"

Simpson: "It has died a painful death."

Black: "Ah, so many good House Bills, so little time. Do you have any reassurance from the Members of the august Body on the other side of the chamber, that this Bill will be treated any differently than the previous two?"

Simpson: "Well, I have assurances that they will try."

Black: "Representative, trying is not good enough. I need some commitment, some fire in the belly, if you will. Are you

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going to tell me that Senator Adeline Geo-Karis, who's in Republican Leadership in the Senate, is she going to take this Bill, shepherd it through Rules and ram it through the Senate and put it on the Governor's desk?"

Simpson: "Yes."

Black: "All right. In that case, let's hear it for Senator Geo-Karis. Run this Bill and may I say to you, Representative, you will be held personally responsible if Senator Adeline Geo-Karis drops the ball on this one."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5906?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5631, Representative Joe Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5631, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Joseph Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons on the Amendment."

Lyons, J.: "Thank you, Speaker. The Amendment basically guts the Bill and becomes a shell Bill. The underlying Bill was... dealt with the Illinois corporation franchise tax. Franchise tax, of course, is based on the amount of capital being held by companies doing business in Illinois. The purpose in the underlying Bill was to simplify the, the process... the bottom line... the ease for the taxpayers in filing returns to rely on more reliable data. Basically,

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their income tax returns at the federal level are gap standards. Now, attorneys looked at this thing from all three parties who initiated this Bill, the Secretary of State's Office, the Taxpayers Federation and the Illinois Retail Merchants. And on their request, we're shelling this so they'd have more time to redo this in the Senate."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 5631?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5631, a Bill for an Act concerning business corporations. Third Reading for this Bill."

Speaker Hartke: "Mr. Lyons."

Lyons, J.: "I'd appreciate an 'aye' vote, and I'd be happy to answer any questions."

Speaker Hartke: "The question is, 'Shall the House adopt... Shall the House pass House Bill 5631?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 Members voting 'yes', 29 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4938, Representative McGuire. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4938, a Bill for an Act concerning state records. Third Reading of this House Bill."

Speaker Hartke: "Representative McGuire."

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McGuire: "Thank you, Mr. Speaker. We've talked about this Bill the last few days. We've had a couple of Amendments on it. At the time there was no opposition. At this time, there's still no opposition. I would ask for a speedy and positive vote. Thank you."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4938?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 112 Members voting 'yes'; 0 voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 43... 5384, Representative Watson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5384, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Poe, has been approved for consideration."

Speaker Hartke: "Mr. Watson."

Watson: "This Amendment... the Amendment becomes the Bill, Mr. Speaker and Ladies and Gentlemen of the House. This is a... creates an income tax checkoff for World War II Illinois Veterans Memorial. In 1941 there were 8 million people that lived in the State of Illinois. 1 million of those, put on the uniform and served in World War II. We have not monument, this is revenue neutral. This just simply gets them on the tax forms for a checkoff."

Speaker Hartke: "Is there any discussion on Amendment #1? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5384?' All in

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favor of the Amendment signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5384, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hartke: "Representative Watson."

Watson: "I simply ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5384?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 Members voting 'yes', 0 voting 'no', and 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5727, Representative Winters. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5727, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Representative Winters. Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5727, a Bill for an Act to amend the Agricultural Areas Conservation and Protection Act. Third Reading of this House Bill."

Speaker Hartke: "Representative Winters."

Winters: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill amends the Ag Areas Conservation and

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Protection Act. It will grant preferences to landowners' wishes. It's an update, trying to get additional land into the ag conservation areas. It will allow stewardship agreements, which will help with conservation measures. Changes some of the language on when the conservation areas are reviewed and does have some limitations on suits for nuisance. We will need an Amendment over in the sentence... in the Senate, excuse me, dealing with willful and wanton conduct and remove some eminent domain powers. But I believe it is noncontroversial and would ask for it's adoption."

Speaker Hartke: "Is there any discussion on House Bill 5727? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5727?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Black, do you have a question before I call the... Mr. Clerk, take the record. On this issue, there were 113 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Now, Mr. Black."

Black: "Thank you very much, Mr. Speaker. I would like the Journal to reflect that I would have voted 'yes' on House Bill 5384. There's absolutely no excuse, other than the fact that I was on the phone and not paying attention and hit the wrong button. Thank you very much."

Speaker Hartke: "The Journal will so reflect. House Bill 4129, Representative McKeon. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4129, a Bill for an Act in relation to minors. Third Reading of this House Bill."

Speaker Hartke: "Representative McKeon."

McKeon: "Thank you, Mr. Speaker and Members of the House. House

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Bill 4129 was discussed extensively a couple days ago. Amendment 2 was applied to the Bill to deal with Class X offenders, and remove them from the coverage of the Bill. What the Bill does is create a reverse waiver for automatic transfers from the juvenile to the adult court for drug offenses, under Section 401 only. I'll gladly answer any question from Members of the Body."

Speaker Hartke: "Is there any discussion? Mr. Cross."

Cross: "All right. Thank you, Mr. Speaker. I... just a... I want to clear a couple of things up, Representative. Did you put the Amendment in... did you put the Amendment in dealing with the... exempting the Class X from this?"

McKeon: "Yes."

Cross: "All right. Thank... And I appreciate you doing that. I'm not... Larry's right, we had extensive debate about this the other day. But I do want you to pay attention to this Bill, at least I would urge you to. And I'm not gonna go on and on about this. But the state's attorneys are opposed to this for a reason and I would encourage you to look at it, because I think this is the type of Bill that will end up in a campaign brochure. What this Bill does... and I have to tell you, there's some people within the criminal justice system that think this is a good piece of legislation, and there's some arguments for it. But I would tell you to be careful from a political standpoint because it can be viewed as a softening... a significant softening on crime. And what it means is under this Bill, that someone that ends up in adult court can come in and petition the court... and this is when Larry talked about reverse... the reverse angle, they can be put back in to the juvenile court. I think that has the potential for being viewed as you... any of you being soft on crime. You

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can make the decision whether or not you want to support this Bill, but make no mistake about the fact that you could see a mail piece in the fall saying Representative A or Representative B supported a Bill that portrayed or that was viewed as being soft on crime, and on juveniles in particular, in the world of drug cases. So, I will limit my comments to that and I would urge you to look at this Bill with caution."

Speaker Hartke: "The Chair recognizes Representative Johnson."

Johnson: "Yes. I, too, would add the same remarks as Representative Cross made, that people can use something like this as being soft on crime. However, I do think that it's very important to recognize in this chamber that this does not do away with automatic transfer. It gives a right to a person who is transferred to come back into the court and petition the court as to why they believe they ought to be treated as a juvenile. And I think that both from a philosophical as well as a factual and statistical look, an honest look and a smart look and in terms of what the ultimate possibilities are for kids who are charged with offenses. This makes eminent sense and I would urge an 'aye' vote."

Speaker Hartke: "The Chair recognizes Representative Turner."

Turner, A.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this legislation. And although one of the previous speakers talks about it being soft on crime, the fact is, is that 95% of the juveniles that have been transferred to adult court are minorities... minority kids. And we're not taking away or taking anything away from the accusations or the crime that have been laid on them. But I think to allow the judges the ability to send that case back to juvenile court when in

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fact, most of those cases even though the kids are tried in an adult court wind up going on probation. I think that is an injustice and a travesty to the young people that we send to the adult facilities. And I certainly think the disparity of who goes and who's transferred to adult court warrants our Body taking a careful look in allowing the judges the ability to deal with the real criminals, in fact. To say that it's an issue of soft on crime and whether it'll be used in a campaign brochure, that might do you well to come back to this Assembly. But I think you're better served to do the right thing and take care of the people of this state and whether it means you return or not, I think that you'll sleep a lot better and it's a... the right thing to do. And I urge that we support this legislation."

Speaker Hartke: "Further discussion? Representative Currie."

Currie: "Thank you, Speaker and Members of the House. I appreciate the focus on the politics of an issue like this, but it is important to remember that here we make public policy. This Bill would create a very narrow exception to the automatic transfer laws. It would not end an automatic transfer, just give the judges the opportunity to decide that a particular 15-or 16-year-old charged with a drug offense, not a Class X drug offense, but a drug offense within a thousand feet of a school or a public housing project would have the opportunity to decide that that youngster belongs in juvenile court. Let me tell you something else, beyond what Representative Turner mentioned about who these youngsters are. More than half of the youngsters who have been automatically transferred to adult court under this provision, more than half of them have had no prior contact with the juvenile justice system. In

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addition, two thirds of these young men and girls end up with a sentence, if they are found guilty, of probation. These are not tough dudes. These are not hardened gangbangers. But when they get a felony conviction, even if their sentence is probation, think of the impact it will have on these 15-and 16-year-olds for the rest of their lives. In the first place, if they're a ward of the Department of Children and Family Services, they can't go home. Because you can't have in a DCFS foster family, you can't have living in the home a convicted felon. Second, they'll never get a college scholarship. Convicted felons don't get education aid, through the state and through the federal government. Third, what are the chances 10 years, 20 years later that they're gonna get a job. Our employers tend to avoid hiring people who have felony convictions on their records. This policy was an experiment when we began it 10 years ago. The facts are now in for 15-and 16-year-olds convicted under this one automatic transfer provision, it hasn't worked. We're ruining lives and the public policy behind House Bill 4129 is to say that a judge can make a determination that this particular 15-or 16-year-old really does belong in juvenile court where services are available and where a conviction does not mean a lifetime without the opportunity for home, school, and employment. I urge your 'aye' votes."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Delgado."

Delgado: "Thank you, Mr. Chairman. To the Bill."

Speaker Hartke: "To the Bill."

Delgado: "There is evidence on a national report issued last spring that concluded that Illinois had the most racially biased drug transfer laws than any state of the union."

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Previous speakers talked about being soft on crime, this is a great example of not being soft on crime, they're being selective on crime. And this is a wonderful opportunity to try to balance it, and I'm very embarrassed as a criminologist to be in this state and know that we need to try to balance this. The juvenile justice by geography and selectiveness is very clear that the particular populations on the national study, these are irrefutable facts. And it's our obligation as policymakers to make sure that we have the scales of justice that is blindfolded and is not peeking. So, it's very important that we stay very consistent and try to move forward. We have a wonderful state's attorney in Cook County and we do everything to work in the same vein. But clearly, the statistics are clear. So, we must make sure that we have all, to make sure that we do the right thing on this vote."

Speaker Hartke: "Further discussion? Representative Durkin, this Bill's on Short Debate. We've heard four people already. Go ahead."

Durkin: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Durkin: "Representative McKeon, I was listening closely to Representative Cross for a few seconds, but I'm not quite sure if I got this straight. We did... you're saying that the Class X was removed from this Bill, correct?"

McKeon: "That is correct."

Durkin: "All right. But let me raise a scenario to you. Under the present law if you are convicted of possession with intent to deliver or delivery of a controlled substance on your third time within a ten-year period, you're automatically subject to Class X penalties. So, the person... the juvenile who is delivered and has been

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convicted on his third time would he be... would he be under the guise of the juvenile court? Are we exempting him under this, under this, under this Bill?"

McKeon: "It's my understanding, and I'm not absolutely certain about it, that the Class X provision would still apply. We're not waiving the Class X provision."

Durkin: "It comes a distinction to whether or not it's a Class X based on weight or it's a Class X based on the enhancement because of the prior two convictions? Because just the smallest amount of the delivery of cocaine or heroin, automatically, whether it... possession with the intent and delivery, is automatically a Class II felony. And there are a number of people who routinely are convicted time... you know, based on the enhancement, based on the their third conviction in that 10-year period, which automatically... there's no discretion that they're Class X felons. Now, we get into that situation, do you find any distinction between... Are we gonna allow these people still to be under the the guise of the juvenile court, the one who's the routine drug dealer on the school yards? I'm not sure if we want that"

McKeon: "We believe your... you know, if it applies in the sense that if you have the third offense, the first two were waived out of the juvenile court. You're dealing with the first offense and first conviction. If you get to the third conviction, then I believe and it's something that I'll follow up with staff, work with the Senate Sponsor, that it would not apply, that the reverse waiver provisions under that case would not apply."

Durkin: "Thank you. All right. Well, I'm still not clear on that so... I'm not sure if there's any further debate, but I think there is a little bit of a difference when we're

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talking about, when there's no distinction based on whether it 's a Class X felony based on the weight or it's a Class X felony based on the enhancements of the prior convictions for the same offense."

McKeon: "Well but, Representative, if I may go further. If you have three convictions, the third conviction goes to the adult court and it's going to be a Class X, if you have three convictions in the adult court. That's... it would be very rare... quite frankly, I'm not aware of any of those cases. You may have encountered some."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Monique Davis."

Davis, M.: "...You, Mr. Chairman. I'd just like to report to the Bill or state in support of this legislation, a report has been received by the Cook County Public Defender Juvenile Transfer Advocacy Unit. And it lets us know that from October 2000 through September 2001, 438 juveniles were arrested and detained in the detention center and automatically transferred to adults in Cook County. 89% of these transfers were African-American youth, 10% Latino, 1% Caucasian. 261 of the 438 or nearly 60% were charged with drugs in the safe zone offenses, which is really a 20% increase. If these youth are automatically transferred to adult court, they're not provided with the services that a juvenile is provided with. They don't get the counseling and all of the agencies and organizations who are equipped to help first-time offenders, never come back again. They don't have access to these youth if they go to adult court. This is a good piece of legislation in order to prohibit, to prohibit, what happens to young people who commit a crime for the very first time, and all of a sudden they are never given another opportunity. A number of youth

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organizations, including the Chicago Area Project have asked me to let you know that you put these children out of their reach... they cannot provide services for them and they're many times criminals forever when they're pushed into adult court and they're juveniles. We should vote 'yes'."

Speaker Hartke: "Further discussion? Mr. Cross, you've already spoken in debate. For what reason do you seek recognition?"

Cross: "Well, Mr. Speaker. My light... or my name was used in debate and I just want to respond to that. And Representative McKeon, and I made a commitment to Representative Currie that I wouldn't go on and on about this Bill and I don't intend to. But there were several references made by several speakers on your side of the aisle that I portrayed this as being a soft on crime Bill. What I said was, that this could be portrayed in a campaign piece as someone being soft on crime. And what I meant by that is, that under this Bill someone selling drugs on school yard property... school property, if they're 15 or 16, could be treated in a less harsh manner than previously if your Bill passed. Now Representative McKeon, if you and Representative Currie and Speaker Madigan, are willing to make a commitment to this Body that we're not gonna see that in a campaign brochure in the fall, then maybe I'll... won't say any more to Members on our side of the aisle and to Members on your side of the aisle. But we all know how this game is played. I can intellectually agree with you. I can substantively agree with you on the merits of your Bill. 'Cause I happen to think that what you've said in some respects are true, that judges have that discretion. But at the same time state's attorneys have the discretion

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not to charge people. But the reality is we play in a political process down here and you know it as well as I do. And you also would agree with me, I think, that this could be portrayed as being soft on crime. And that was my point earlier. And I again, if you're willing to make that commitment and commit the Speaker to that, then I might change my tone. And I don't think you can do that, so I'm not gonna back off on that concern for Members on this side of the aisle. I'm not gonna apologize for it and I... but I... and I do appreciate your attempts to work on this Bill, but the reality is, it has not changed in that context. Thank you."

Speaker Hartke: "Representative Turner, you also have spoken in debate. For what rea... He declines recognition. Representative McKeon to close."

McKeon: "Thank you, Mr. Speaker. And I'd also like to thank my colleagues from the other side of the aisle. As someone that has worked in the juvenile justice system and done a lot of work around juvenile justice reform over the last two decades, I've learned a lesson very well, that sometimes the best intentions of the best minds proves in time to be counterproductive. And this is one of those laws. As the Representative just said, state's attorneys can refuse to prosecute. But then what happens, the kids fall through the cracks. And I agree with you that this could end up in campaign brochures as being soft on crime. For me that happens in the Democratic primary. It's my Democratic opponents that beat me up that way. So it can go either, go either way. But it's not being soft on crime, in fact it's being tough on kids and let me tell you why. In the adult system you get six months probation and no services, twelve months probation and virtually no

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services. In the juvenile system you could get two times that, 24 months, 36 months, community-based alternatives, parental counseling, much more intrusive services. So in a way, you could say, no, it's not being soft on crime it's being tough on kids. It's being tough on kids and working with those kids to keep them out of the adult system and certainly not soft on crime. I urge an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4129?' All those in favor will signify by voting 'yes'; those opposed will vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 Members voting 'yes', 46 Members voting 'no', 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we have a procedural matter to do. We have some 60 Bills to pass as we did yesterday from Second to Third and then read them a third time. It'll be an Agreed Bill List for shell Bills. So bear with me... myself and the Clerk. When we finish that we'll be passing out a, a tally sheet for you to change your votes if you would like. And then we will return, we have about 12 or 15 more Bills yet to do, and while we're doing those Bills, you will have an opportunity to mark your sheets. House Bill 4478. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4478 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4478, a Bill for an Act in relation to support. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4479. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 4479 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4479, a Bill for an Act in relation to child support. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4549. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4549 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4549, a Bill for an Act concerning criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4571. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4571 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4571, a Bill for an Act in relation to gaming. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4605. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4605 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4605, a Bill for an Act in relation to executive agencies. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4620. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4620, a Bill for an Act in relation to... House Bill 4620 has been read a second time, previously."

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Speaker Hartke: "Third Reading. Mr. Clerk, Read the Bill."

Clerk Rossi: "House Bill 4620, a Bill for an Act in relation to financial regulation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4639. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4639 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4639, a Bill for an Act regarding vehicles. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4647. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4647 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4647, a Bill for an Act concerning environmental protection. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4662. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4662 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4662, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4670. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4670 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4670, a Bill for an Act in relation to public utilities. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill. House Bill 4673. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4673 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4673, a Bill for an Act concerning aging. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4680. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4680 has been read a second time, previously."

Speaker Hartke: "Mr. Clerk... Hold... Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4680, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4681. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4681 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4681, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4716. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4716 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4617 (sic-4716), a Bill for an Act in relation to airports. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4719. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4719 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4719, a Bill for an Act regarding aircraft. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4725. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4725 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4725, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4740. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4740 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4740, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4795. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4795 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4795, a Bill for an Act concerning plan commissions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4796. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4796 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4796, a Bill for an Act concerning municipalities. Third Reading of this House Bill."

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Speaker Hartke: "Hold that Bill. Mr. Clerk... House Bill 4806."

Clerk Rossi: "House Bill 4806 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4806, a Bill for an Act concerning taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4818. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4818 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4818, a Bill for an Act concerning taxation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4821. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4821 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4821, a Bill for an Act in relation to taxation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4830. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4830 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4830, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 4832."

Clerk Rossi: "House Bill 4832 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4832, a Bill for an Act in relation to

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criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5016. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5016 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5016, a Bill for an Act concerning a historic preservation agency. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5018. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5018 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5018, a Bill for an Act in relation to sports facilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5026. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5026 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5026, a Bill for an Act concerning agriculture. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5038. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5038 has been read a second time, previously."

Speaker Hartke: "Third Reading."

Clerk Rossi: "House Bill 5038, a Bill for an Act concerning land conservation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5045. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 5045 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5045, a Bill for an Act concerning natural resources. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5048. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5048 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5048, a Bill for an Act concerning open lands. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5076. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5076 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5076, a Bill for an Act in relation to child support. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5077. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5077 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5077, a Bill for an Act concerning family law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5079. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5079 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read..."

Clerk Rossi: "House Bill 5079, a Bill for a Act in relation to

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public aid. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5127. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5127 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5127, a Bill for an Act concerning freedom of information. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5128. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5128 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5128, a Bill for an Act concerning open meetings. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5145. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5145 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5145, a Bill for an Act in relation to unemployment insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5150. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5150 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5150, a Bill for an Act in relation to executive agencies. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5159. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5159 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5159, a Bill for an Act in relation to executive agencies. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5160. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5160 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5160, a Bill for an Act concerning public health. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5168. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5168 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5168, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5169. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5169 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5169, a Bill for an Act in relation to public employee benefits. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5200. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5200 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 5200, a Bill for an Act concerning families. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5201. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5201 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5201, a Bill for an Act in relation to children. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5203. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5203 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5203, a Bill for an Act in relation to mental health. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5218. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5218 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5218, a Bill for an Act in relation to health facilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5220. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5220 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5220, a Bill for an Act concerning mental health and developmental disabilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5222. Mr. Clerk,

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read the Bill."

Clerk Rossi: "House Bill 5222 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5222, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5231. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5231 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5231, a Bill for an Act in relation to highways. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5236. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5236 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5236, a Bill for an Act in relation to state finance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5240. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5240 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5240, a Bill for an Act in relation to transportation. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5278. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5278 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 5278, a Bill for an Act in relation to the regulation of professions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5301. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5301 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5301, a Bill for an Act in relation to aging. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5307. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5307 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5307, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5322. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5322 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk..."

Clerk Rossi: "House Bill 5322, a Bill for an Act concerning the assistance to citizens. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5323. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5323 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5323, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Mr. Clerk, hold that Bill. House Bill 5324."

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Clerk Rossi: "House Bill 5324 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5324, a Bill for an Act concerning citizen benefits. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5325. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5325 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5325, a Bill for an Act in relation to public aid. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5334. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5334 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5334, a Bill for an Act in relation to tobacco. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5340. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5340 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5340, a Bill for an Act relating to children's health insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5342. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5342 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 5342, a Bill for an Act relating to education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. Mr. Clerk, 5351. 5351."

Clerk Rossi: "House Bill 5351 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5351, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5368. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5368 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5368, a Bill for an Act in relation to townships. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5383. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5383 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5383, a Bill for an Act concerning bonds. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5401. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5401 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5401, a Bill for an Act concerning business transactions. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5441. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5441 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5441, a Bill for an Act concerning firearms. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5444. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5444 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5444, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5450. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5450 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5450, a Bill for an Act in relation to elections. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5467. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5467 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5467, a Bill for an Act in relation to taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5470. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5470 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, hold (sic-read) the Bill."

Clerk Rossi: "House Bill 5470, a Bill for an Act in relation to

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taxes. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5499. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5499 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5499, a Bill for an Act concerning insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5500. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5500 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5500, a Bill for an Act in relation to insurance. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5514. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5514 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5514, a Bill for an Act concerning education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5530. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5530 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5530, a Bill for an Act relating to higher education. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5545. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5545 has been read a second time,

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previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5545, a Bill for an Act in relation to environmental protection. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5564. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5564 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5564, a Bill for an Act in relation to utilities. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5924. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5924 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5924, a Bill for an Act in relation to property. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. House Bill 5938. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5938 has been read a second time, previously."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5938, a Bill for an Act in relation to business transactions... for business organizations. Third Reading of this House Bill."

Speaker Hartke: "Hold that Bill. The pass... The Clerk will now be passing out the Agreed Amendment... or Agreed List #2 on Supplemental #2 and again, you should be signing those pages. And if you care to vote 'no' or 'present' or not vote on those you should indicate it on those sheets and

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turn them in to the Clerk. Right now, we will be taking a Roll Call on the Agreed List #2. You would be advised to vote 'yes' and then if you like to change your votes on the pages, you may. The question is, 'Shall all those individual Bills just read on Agreed List #2 pass?' Mr. Clerk, open the Roll. Have all voted 'yes' who wish? Have all voted who wish? Mr. Durkin, would you care to vote? Mr. Clerk, take the record. House Bill 3699, Representative O'Brien. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3699, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative O'Brien, has been approved for consideration."

Speaker Hartke: "Representative O'Brien."

O'Brien: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 3699 would suspend the cost of living adjustment scheduled to take effect on July 1, 2002 for fiscal year 2003 for the constitutional officers, for members of the judiciary, and for Members of the Illinois General Assembly. It would come back into effect automatically on July 1, 2003 with the commencement of the fiscal year '04 budget. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion on Amendment #1? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 3699?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3699, a Bill for an Act concerning

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compensation. Third Reading of this House Bill."

Speaker Hartke: "Representative O'Brien."

O'Brien: "The Amendment becomes the Bill. So as previously explained, it suspends the cost of living increase for one year, commencing July 1, 2002 for constitutional officers, members of the judicial branch, and for Members of the General Assembly and I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Representative Collins."

Collins: "Just a point for clarification. I thought we weren't gonna call this Bill?"

O'Brien: "The underlying Bill, which was... was the five day furlough Bill, we'd agreed that we would not be calling this. But when I came back yesterday to your committee with this Amendment, it replaces all the text of the first Bill."

Collins: "All right."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 3699?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 Members... 109 Members voting 'yes', 3 Members voting 'no', and 0 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4898, Representative Soto. Mr. Clerk... Mr. Clerk, call the Bill."

Clerk Bolin: "House Bill 4898. The Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Soto, has been

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approved for consideration."

Speaker Hartke: "Representative Soto on Amendment #1."

Soto: "Thank you, Speaker and Members of the General Assembly. House Bill 4898, this Bill would not change current law regarding affidavit voting in precincts on election day. Affidavit voting is available for voters whose registration is irregular. But the registration can be validated on site while the voter is still present. I will also like to yield my time to Representative Delgado. Thank you."

Speaker Hartke: "Representative Delgado."

Delgado: "Thank you, Mr. Speaker and Members of the General Assembly. House Bill 4898, as Representative Soto pointed out, this Bill is brought to me by Cook County Clerk, David Orr. And as we find every election, we find many voters asked to vote but their registration record cannot be immediately verified by the election authority or by the precinct judges cannot reach the election authority by phone. These voters are ineligible for affidavit voting. Rather than heated disputes in the polling place, judges would be authorized to offer these voters a ballot. Then they're gonna segregate and seal that ballot in an envelope similar to an absentee ballot envelope. It's very clear that this election authority would then have up to two weeks to investigate each provisional ballot's validity. Where cast by a voter determined to be lawful, the vote would essentially counted and added to the official canvas. Right now, what we have, the state will certify this past primary on the 8th, if I'm not mistaken, on Monday. This is based on California law and is already implemented in that state. And I'll be more than happy to answer any questions at this time."

Speaker Hartke: "Is there any discussion? The Chair recognizes

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Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Giles: "Representative, could you... first of all, who is the initiation of this piece of legislation?"

Delgado: "David Orr's office, Representative."

Giles: "Okay. Mr. Orr's office and so does this provision mainly apply... applicable to Cook County?"

Delgado: "No, this would apply statewide."

Giles: "Statewide. Okay. In this legislation, could you give me the process in which an individual... do you know the process in which an individual coming to the polling place that may not be on the voting polls or the rolls, as we say."

Delgado: "Yes. When a voter goes into vote and they do not find any of their information on it, at that point, the judge is supposed to call a hot line, check on them. If they do not show up on their list, they don't have an I.D., there's no way to verify them. They have an ultimate way of doing so by calling a hot line. But with that, there's problems with he's either: a) there's not a phone, or b) they can't get through that hot line and that voter is denied their right to cast that vote."

Giles: "Okay. Now when you say list, what particular list are you talking about?"

Delgado: "The voter list."

Giles: "Okay"

Delgado: "The voter file poll sheet..."

Giles: "The voter file poll sheet."

Delgado: "...and their official binders."

Giles: "Okay now, help me if I am wrong. Prior to election day every ward committeeman or organization that's involved

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with the voter's process, do they get a list of individuals that qualify to be an active registered voter?"

Delgado: "No, they don't."

Giles: "Okay."

Delgado: "Not that I know of, no."

Giles: "I believe they do."

Delgado: "They do? Okay."

Giles: "Number two... Number two, when you go into the polling place."

Delgado: "Their access to the poll book as I... if I... if that's..."

Giles: "The judges should have an active list of individuals that has been challenged, that has been challenged... have not responded back to the Board of Election that their eligibility... the vote is inactive. Is that correct? Do they have a list?"

Delgado: "That is correct."

Giles: "Each one of those judges have that list, so now..."

Delgado: "That's part of the poll book."

Giles: "Okay. So they do have... they do have a list stating those individuals that may have some discrepancy about voting. I guess one of the problems that I have with this Bill, Representative, you're saying that there's a separate, there's a separate procedures for those individuals that may not be on any voting list, by the Board of Election and so now you're asking that we create a separate list or these individuals will come into the polling place and vote and that will be a separate envelope?"

Delgado: "That... Right. We're asking that that voter have the right... They might have voted in the last election. They might even know those judges, but now in this election they

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don't show up anywhere. They're gonna put that ballot. They're gonna cast that ballot, they're gonna put it in an envelope sealed. Sort of like an absentee ballot, which is called a provisional ballot and at that point it's set aside and gives them the time period after that election that we use anyway to verify all of the voter... voters at that point they're accounted at that point and it keeps it within a two-week period for certification."

Giles: "Okay. So, you're saying that there's a... we want to put that specific vote in a separate envelope."

Delgado: "Envelope."

Giles: "Now, are you saying that that actual vote, that ballot would not go through the regular process. You know in Cook County we have new voting machines in which, you take'em right... you place that ballot... that vote itself placed the ballot right through the machine and the actual vote is tabulated... goes through a mainframe downtown and so that way we know that vote is completely safe. Right?"

Delgado: "Maybe counted or not."

Giles: "Okay."

Delgado: "We just went through that, Representative. And I'm one that could show you that the... not necessarily. They can lose the connection and it doesn't get counted."

Giles: "Would you agree to me that they can lose the connection even more so if this ballot does not go through the process at that particular time, pursuant the voter placed that ballot right through the machine but to hold it in separate envelopes? I guess what I'm trying to say, Representative, to me it seems like we opening a Pandora's box with a, with a, with a... with some votes being separated in a envelope in one area. And my concern is that, of course, you know some of the practices in Cook County as I do, that a lot of

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envelopes come up missing just as a lot of new envelopes come about."

Delgado: "Yes, Representative Giles. I would indicate to you that the provisional ballot does not go through the machine. It does not go through the machine and, and as you... we both know as we share some of our precincts, yes, we... we... that... this, on the contrary, would help secure: a) that voter going into the polling booth and going... and making sure that they've casted a vote. And being able to leave that place knowing that they've had their right to vote. And second, it gives us a check and balance to at least give them the opportunity to have that vote counted. At a later time, if indeed, they're found later on, on a list downtown and now if you do find them on a list downtown, what we've done if we didn't give them the right to vote? They have been... they've been denied that opportunity."

Giles: "Okay. To the Bill. To the Bill. Thank you, Representative, for your answers to the questions I asked. But to the Bill. I still have some concerns. And the reason being is that: 1) to me it seems like it creates another system here in which we're, we're placing a envelope with ballots that, that may be reported to the board authority, the Board of Election in your particular county, in your particular municipality. I just have some concerns with that. 2) I truly believe that this is the educational issue in which that municipality that runs the Board of Elections in your county need to educate their... the judges how to actually handle an individual that comes in that's not on that voting list, to the fact that that individual has right to request to vote by affidavit if their name is not on a voting list. I think this is an

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educational issue. I know in Cook County, maybe we need to do a better job. But, but I just have some, some issues maybe with placing individual ballot on the side. And I think that was one of the reasons I know, in Cook County which we did obtain and start a new process in the way we cast the votes in the new machines, the new computers that we have in Cook County. So, I just like us to urge... to take a look at this and I'll listen to debate. Thank you, Representative."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Colvin."

Colvin: "Thank you, Mr. Speaker. Will the Sponsor yield?"

Speaker Hartke: "Sponsor yields."

Colvin: "I rise in strong support of House Bill 4898. By and large, in many municipalities and counties around the State of Illinois, voting on election day is still very much a paper-based process. And to that end, oftentimes when we cast our votes, paper gets lost. It gets lost at the Board of Elections. It's often misplaced in the binder. They rip, they come out, they become faded and can't be read anymore. We have to get around this, because people in every election are being denied their fundamental right to vote only because in many cases, a piece of paper got lost. This is a make-sense type of Bill that addresses a very serious problem, far beyond what we saw what happened in Florida during the presidential election. I strongly urge all of my colleagues and anyone who's interested in protecting every American's right to vote to pass this legislation. Thank you."

Speaker Hartke: Further discussion? The Chair recognizes Representative Fowler."

Fowler: "Thank you, Mr. Speaker. Will the Sponsor yield?"

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Speaker Hartke: "Sponsor yields."

Fowler: "Representative Delgado, in looking this over and listening to the discussion, there's this one thing that I don't see covered in here. One thing we go way beyond on is trying to protect the confidentiality of how that person voted. Does your proposal here still protect the confidentiality?"

Delgado: "Thank you, Representative Fowler. Yes, it does. A previous speaker indicated that it's set aside. That ballot is secure in a sealed envelope. At that point, it's put into a sealed container and locked in that container just like all other votes are. And then at that point, at the end of the evening, it's transferred like everyone else's and they have two weeks with the Board of Elections to decide if this, indeed, is a legitimate ballot or not. And most of this language was already taken out of an existing state that practices this, this, this type of voting, which is the State of California."

Fowler: "Can we, at the point in time though, it's determined that that person is a valid voter, is that confidentiality still protected when that ballot card is removed from that sealed envelope? That's my concern."

Delgado: "Yes. First they're gonna verify the application. And once the application is verified, that vote is just tallied and at that point the confidentiality remains. It is my interest, too, Representative, to protect that, that confidentiality and... but my first point is to protect the right to vote, that every person has that right. And it should be known to all the Members in the House that this Bill... the provisional voting right now, may be man... may be a mandate by federal election reform legislation now pending. It has strong bipartisan support and you should

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look at House Resolution 3295, the Ney-Hoyer, Section 565 Dodd, McConnell, Schumer, Torricelli and Bond. Which is pending now on the federal level."

Fowler: "Thank you, Representative..."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, Representative Delgado to close."

Delgado: "This is a Bill that when Clerk Orr brought it to me, I too, sat down and wanted to look at it well, because we have enough opportunity to make our little errors with all of the technology coming in and the whole fact that when you go... as an American citizen you have a right to vote and to be able to go in and take care of this and to have an opportunity to make sure that we as the system are not allowing someone to cast a... to say that they know that they're registered. They want to cast that vote. They might have voted in previous elections and then only because we're a little afraid of discrepancies that we actually wind up denying our constituents their right to vote. And I would just close by saying, this is supported and endorsed by the National Association of State Election Directors, The National Commission on Federal Election Reform, The Carter-Ford Commission, The NAACP, The League of Women Voters, The National Association on Election Standard Reforms, National Association of Counties, The National Association of County Recorders, Election Officials and Clerks, National Conference of State Legislators are on board this piece of legislation also. This is an opportunity to make sure that your vote counts and we have that obligation to make sure that as citizens, do not lose that right. And I ask for an 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House adopt Floor Amendment #1 to House Bill 4898?' All in favor signify by

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saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4898, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hartke: "Representative Soto."

Soto: "I urge my colleagues for an 'aye' vote. Thank you very much."

Speaker Hartke: "Is there any discussion? Seeing that no one is... Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I'll be very brief. The underlying Bill has some, has some problems. And I understand what the sponsor's are trying to do. It is the responsibility of the election officials to see to it that their records are accurate. It is not their responsibility to have somebody walk into a precinct or a ward voting place and say, I'm registered, you must let me vote. They checked the records, they don't have you on the list. They say you are not registered. It is not under any case law that I'm familiar with a fundamental right for a person to walk into a polling booth and say, your records are wrong. They must be wrong, I insist that I vote. Folks, that's called fraud, in any state, in any way you want to do it. If you're having problem with your election officials, if they can't get their registration materials accurate, then get a new election official."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4898?' All those in favor signify by voting 'yes';

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those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 43 Members... 42 Members voting 'yes', 67 Members voting 'no', and 4 Members voting 'present'. And this Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 5685, Representative Morrow. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5685 has been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Morrow, has been approved for consideration."

Speaker Hartke: "Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #1 to House Bill 5685, basically, it allows that the four Leaders each appoint two Representatives to this oversight panel. There was some concerns in committee. Representative Dale Righter had concerns. Also, in the original Bill the Members, I guess, received compensation. The Amendment would say that the Members serve at the pleasure of their appointing authority and that they will receive no compensation for service on the panel. I'll be glad to answer any questions."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5682?' All those in favor, signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Rossi: "House Bill 56..."

Speaker Hartke: "Excuse me, Mr. Clerk. On House Bill 5682...
Excuse me, I announced 5682... 5685, the Amendment is
adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5685, a Bill for an Act concerning
legislative oversight of state contracts. Third Reading of
this House Bill."

Speaker Hartke: "Representative Morrow."

Morrow: "I just would urge 'green' votes on House Bill 5685."

Speaker Hartke: "The question is, 'Shall the House pass House
Bill 5685?' All those in favor signify by voting 'yes';
those opposed vote 'no'. The voting is open. Have all
voted who wish? Have all voted who wish? Have all voted
who wish? Mr. Clerk, take the record. On this question,
there are 101 persons voting 'yes', 9 people voting 'no'.
And this Bill, having received a Constitutional Majority,
is hereby declared passed. House Bill 5848, Representative
Yarbrough. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5848 has been read a second time,
previously. No Committee Amendments. Floor Amendment #1,
offered by Representative Yarbrough, has been approved for
consideration."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. The Amendment to House Bill 5848 addresses the
self-service restrictions described in this section, shall
not apply to retail tobacco store that derives at least 90%
of its revenue from tobacco and tobacco-related products.
It does not permit persons under the age of 18 to enter the
premises and posts a sign on the main entrance way stating

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that persons under the age of 18 are prohibited from entering. I'll entertain any questions."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing that no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5848?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5848, a Bill for an Act in relation to tobacco products. Third Reading of this House Bill."

Speaker Hartke: "Representative Yarbrough."

Yarbrough: "Thank you, Mr. Speaker. House Bill 5848 creates the Display of Tobacco Products Act. It requires that all tobacco products be displayed behind a sales or service counter and that all sales must be handled with assistance from an employee. Stealing cigarettes is a primary source of getting cigarettes for some minors. Theft is only a problem in stores that provide self-service sales of tobacco products. We want to put tobacco behind the counter and out of reach of kids. I'll entertain any questions."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to the Bill. Now, just take a look at this. Imagine a store, imagine a store in your neighborhood that has a very small counterspace for a cash register and some poor woman or man trying to make a living selling milk and donuts and bread and an occasional package of cigarettes. They don't have room to put those cigarettes behind the counter and what's the value of this?"

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You can go down the street and if they've got a vending machine, that's okay. Hell, you can have that out in the street, as long as it's an authorized vending machine. I'll tell you what, I'm a nonsmoker. My mother died of lung cancer and emphysema in 1968 at the age of 56, because she smoked about four packs of Pall Malls a day. A very intelligent woman, but a very poor choice. Now look, rather than just nitpick somebody trying to make an honest buck, why don't you just have the courage to say, let's outlaw the sale of tobacco, period? Quit nitpicking people who are trying to make a living. And if you antitobacco zealots and I'll join you if you want to do it, if you want to just continue on this path, then just take away the \$500 million in tax revenue that you so gleefully spend from that horrible tobacco industry. This will put more mom and pop stores out of business than anything we've done and it doesn't do one darn thing to stop a kid from going through an almost right of passage (sic-passage) that everyone one of you probably went through that sits on this floor. They're gonna experiment with tobacco. I don't care what you do. Pass all the laws you want, but don't keep adding burdens on the small businessman or small businesswoman in your district. If you think this is really gonna do any good, you've been smoking something besides Marlboros."

Speaker Hartke: "Further discussion? Representative Yarbrough to close."

Yarbrough: "Actually, I've been smoking nothing. But I would like to give the kids a chance not to... to make a decision when they get 18 years of age. I urge an 'aye' vote. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 5848?' All in favor signify by voting 'yes'; those

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opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 57 Members voting 'yes', 56 Members voting 'no', 0 voting 'present'. And this Bill, having failed to reach its Constitutional Majority, is hereby declared... The Lady's requested Postponed Consideration. House Bill 4178, Representative Younge. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4178 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4178, a Bill for an Act amending the School Code. Third Reading of this House Bill."

Speaker Hartke: "Representative Younge."

Younge: "Thank you, Mr. Speaker. This Bill amends the School Code in provisions concerning the waiver of School Code mandates allows either the House of the General Assembly to disapprove the State Board of Education's report on waivers, by adoption of a Resolution instead of requiring both the Houses... both the House and the Senate to adopt the Resolution and I ask that Representative Giles..."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Giles."

Giles: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4178 currently now with the school mandate waivers, currently the State Board of Education, what they do is submit a modified request concerning waivers to the General Assembly. And what the State Board does is they approve some of the modifications of the School Code and then the waiver requests are sent to the

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General Assembly. They are sent to us. And what usually happens is that the House and the Senate both have to pass identical Joint Resolutions denying any particular waiver... request and all of the requests can be deemed or granted. What we're trying to do in this legislation, we're trying to give the House of Representatives, we're trying to give them some input in this process. Normally, the waiver request comes from the Senate and oftentimes they dictate which request is granted or not granted. And what we're trying to do is make sure that the House of Representatives play a part in this process. For instance, last, last legislative Session we had Representative Osmond brought forward some initiative from his school district. And I thought it, it deemed to be granted. And... But, but of course, our Senate counterpart had the deciding vote on whether that particular waiver request was granted or not granted. So, what we're trying to do is give the House of Representatives some type of powers to be able to... to be effective in this process. And so, what we will have to do... the House or the Senate could deny a particular waiver request by the adoption of a Resolution. And so that's what we're trying to do."

Speaker Hartke: "Is there any discussion? The Chair recognizes Representative Hoeft."

Hoeft: "Thank you, Mr. Speaker. Just as a comment here. Folks, this is a declaration of independence. The Senate sends these waivers over and they say, take it or leave it. And this is basically our responsibility to protect our own. We don't have the ability to do it. Representative Giles, great Bill."

Speaker Hartke: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. There may be some

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merit in this proposal, but I would remind us, we have a bicameral Legislature. There is a reason for that. This is a denial of the bicameral nature of this legislation... this Legislature and I think it should be opposed."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I won't speak to the Bill, I'll just beg the Sponsor of the Bill..."

Speaker Hartke: "To the Bill."

Black: "Pass something that gets me out of being a school board member. I've never understood why I come down here and have to vote on waivers from school boards. If I want to be a school board member, I'll run for it. Get me out of the waiver business."

Speaker Hartke: "Representative Younge to close."

Younge: "I'll ask that the Body pass this legislation."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4178?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 89 Members voting 'yes', 23 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4588, Representative Turner... excuse me, Representative Madigan. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4588 has been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4588, a Bill for an Act in relation to state finances. Third Reading of this House Bill."

Speaker Hartke: "Speaker Madigan."

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Madigan: "Mr. Speaker and Ladies and Gentlemen. This is a shell Bill for the Office of the Comptroller which is working to try and create an office of a receivership to handle cemeteries where there's a bankruptcy. And they haven't come to an agreement or understanding as to what they want to do. So we'd like to move it over to the Senate to accommodate that particular office."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4588?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 80 Mem... 81 Members voting... 80 Members voting 'yes', 32 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5627, Representative May. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5627, a Bill for an Act concerning land conveyances. Third Reading of this House Bill."

Speaker Hartke: "Representative May."

May: "Yes. This is a conveyance of an easement from IDOT that it no longer needs for highway purposes and to clarify it is not the land, it is only an easement that was given for highway purposes. Through an intergovernmental agreement of the City of Highland Park, the Park District of Highland Park, and the Forest Preserve District of Lake County, the land will remain in perpetuity an open space. The city received a grant from the Open Lands Trust and needs this release of this easement to complete the project. DNR has told IDOT that this is a critical piece of property and they are doing what they can to accomplish the goal of open

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space."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5627?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 94 Members voting 'yes', 16 Members voting 'no', 1 Member voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5868, Representative Boland. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5868 has been read a second time, previously. Floor Amendment #1, offered by Representative Slone, has been approved for consideration."

Speaker Hartke: "Representative Slone on the Amendment. No? Representative Boland on the Amendment."

Boland: "Thank you, thank you, Mr. Speaker. Amendment 1 says that the Department of Public... it actually becomes the Bill. The Amendment becomes the Bill. The Department of Public Health shall compile an annual statistical report on the immunization status of Illinois children, including percentages and numbers immunized against each disease or group of diseases for which immunization is available. The report shall be submitted to the General Assembly annually and shall not exceed three pages in length. I ask for the adoption of the Amendment."

Speaker Hartke: "With leave of the Body, we've just heard Representative Boland explain Representative Slone's Amendment. Leave is granted. Is there any discussion on the Floor Amendment? There's no discussion. The question is, 'Shall the House adopt Floor Amendment #1 to House Bill

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5868?' All those in favor signify by say 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Rossi: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 5868, a Bill for an Act concerning disease prevention. Third Reading of this House Bill."

Speaker Hartke: "Representative Boland."

Boland: "The Amendment became the Bill and I would just ask for an 'aye' vote."

Speaker Hartke: "Is there any discussion? Mr. Black."

Black: "Inquiry of the Chair, Mr. Speaker."

Speaker Hartke: "State your inquiry."

Black: "The Gentleman said Floor Amendment #1 becomes the Bill. That's not my understanding. It adds to the Bill, it doesn't become the Bill."

Speaker Hartke: "Representative Boland. Did you hear the question?"

Boland: "I think so. As I said, there are no other changes to the Bill."

Black: "Representative, you said Amendment #1..."

Boland: "It does add to it."

Black: "...becomes the Bill. Amendment #1 does not become the Bill."

Boland: "There are, there are no substantive changes to the existing law. It does add to the Bill, you're right."

Black: "All right. That's all I want you to say. You said Amendment #1..."

Boland: "Yes."

Black: "...becomes the Bill."

Boland: "Excuse..."

Black: "Right or wrong?"

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Boland: "I did say that, but I was wrong. Thank you."

Black: "All right. And by the way, I know Representative Slone. I've worked with Representative Slone and you don't look like Representative Slone."

Speaker Hartke: "He's taller, too. Further discussion on House Bill 5868? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5868? All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 Members voting 'yes', 7 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4974, Representative McCarthy. Mr. Clerk, read the Bill."

Clerk Rossi: "House Bill 4974, a Bill for an Act concerning motor vehicle decals. Third Reading of this House Bill."

Speaker Hartke: "Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 4974, is an initiative of the Secretary of State's Office. I've been working on this for a considerable amount of time. This Bill went through the Transportation Committee on a vote of 21-0-0. I think it's a good piece of public policy and I'd appreciate your affirmative support."

Speaker Hartke: "Is there any discussion on the legislation? If not, the question is, 'Shall the House pass House Bill 4974?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this issue there are 113 Members voting 'yes', 0 voting

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'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 3810, Representative Soto. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 3810, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hartke: "Representative Soto."

Soto: "Thank you, Speaker and Members of the General Assembly. House Bill 3810 looks to expand the pool of election judges by allowing the Illinois residents the ability to take a day off of work without penalty by the employer to serve as an election judge. The individual would have to give their employer a 20-day written notice. I would also like to take this time and I would like to yield my time to Representative Osterman. Thank you."

Speaker Hartke: "Representative Osterman."

Osterman: "Speaker, and Members of the House. If you heard some of the debate earlier about the voting by affidavit that occurs on election day, sometimes there are complicated issues that happen on election day. And who is there to make those decisions, who gets to vote, who doesn't get to vote, which ballots count, which don't, are the polls open on time? And those are election judges. The problem right now in the State of Illinois is that we go into each election day with a shortage of election judges. Board of Election estimates each year, or each election we have 25... 20 to 25% vacancies in election judges. In this last election, on March 19th in suburban Cook County, there were a thousand vacancies for judges in suburban Cook County, two-thirds of those, Republican. What this Bill will do is expand the pool of people that can be an election judge, by letting someone take a day off of work without penalty. It doesn't mean the employer has to pay them. To try to

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address some issues that came up from the business community, this Bill does not include businesses under 25 people. Businesses of employees 25 to 100 will only have to let off 2 people. And businesses over 100 would not be mandated to let 3% of their work force off. In practical terms though, people have to apply through their Democratic, Republican Committeemen to become an election judge or the Clerk of that respected county. So the goal in this legislation is to try to encourage more people to become judges. Let them be judges, and ensure that we have fair and honest elections in our state. I'd be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Representative Cross. Mr. Cross?"

Cross: "Yes. I'd like to ask a couple of questions."

Speaker Hartke: "You may."

Cross: "Representative, this deals with judges. I... Representative O'Brien had a Bill earlier that dealt with full-time security officers. Will all these judges get full-time security officers?"

Osterman: "Just in some tough neighborhoods, Representative Cross."

Cross: "It what...?"

Osterman: "But no this would... In some tough neighborhoods, they might need to have a... an escort, but no, this would not... they would not be armed with drivers on election day."

Cross: "At least all the female judges don't need the security... at least election judges, don't need the security officer. In all seriousness, Representative, is there a limit? If I've got a company with 12 people and all 12 people came in today or tomorrow or under the amount of time you requested

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and said I want to be an election judge, would all 12 people be gone from that employer?"

Osterman: "Actually, no. You would tell them that they would... do not apply to this Bill and that would not be the case. This Bill only applies to businesses over 25. Similar to family medical leave. And that was an issue that came up from the Chamber of Commerce. So I tried to work with them. It applies to businesses over 25. Businesses under 25 employees would not apply. We also put a provision in that businesses 25 to a hundred employees would only have to let off two employees. And in the third effort to compromise with the Chamber of Commerce, we've put in a provision, businesses over a hundred would have to only mandate that 3% of the people take off. Now in reality, Representative Cross, people in a respective business still have to go to the County Clerk or to a Republican or Democratic Chairman to apply to become an election judge. I don't think, and I've got a lot of small businesses in my community. I don't think that this is gonna shut down the State of Illinois and the business community. I think that business and labor, big or small, has a vested interest in having fair and honest elections. Many people in this chamber have gone through close elections. We should all ensure that we have fair elections. Having qualified election judges there in the polling place on election day, I think is very important. I think we all should think that's very important."

Cross: "Well, Representative, I know... I know you've made some attempts to make this a better Bill. But my understanding is that the Illinois Chamber of Commerce is still opposed to this Bill. Is that your understanding?"

Osterman: "It is my understanding, Representative Cross. They

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gave me the issue of businesses over a hundred and I... working in good faith, put that provision in and then they more or less told me, they're still fundamentally opposed to the Bill. I'd be willing to sit down and work with the Chamber. I'd be willing, if this Bill is passed out, to look on a sunset so if there are issues that come up in the fall or future elections, we can work on that. But I think this is an important Bill for all of us, and for the constituents so that they have the polling places open on election day, and they feel confidence in the system that we use to elect people."

Cross: "Does this apply to state employees?"

Osterman: "This would apply to all employers."

Cross: "So, what we in essence are doing, is having employers, the state, or private employers, pay for election judges, Representative."

Osterman: "Not at all. They would not have to... if someone took a day off of work, they would not be compensated by their employers... so they... it'd be like a jury... taking off for a jury."

Cross: "But they are gonna lose the use of that employee for the day. And that, I think, therein lies the problem that the Chamber has, as well as the other business groups. So, I appreciate your answering the questions. Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Giles."

Giles: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Hartke: "Sponsor will yield."

Giles: "Representative Osterman, what recourse do an employer, I mean, an employer that denies a particular judge of the election to actually take off? What sort of reprimand for

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that employer? Is there any language in this Bill..."

Osterman: "If this Bill's passed, what the recourse would be?"

Giles: "Yes. For that employer."

Osterman: "That's something I'd have to... I'm not quite sure what the recourse would be on that, Representative Giles. And I'd be happy to work on that."

Giles: "So, there's no enforcement of this piece of legislation?"

Osterman: "Other than the employer violating a State Law that would be passed."

Giles: "Okay."

Osterman: "But I don't know that there's a fine or penalty or anything like that. This is not something that would look to penalize employers. It's kind of a goodwill measure that we're trying to encourage people... take a day off of work to become an election judge. Someone that wants to get involved in the electoral process, they can take a day off of work without penalty of pay or, you know, losing a vacation day or something like that."

Giles: "Just, just one of the concerns I have. I know when my family... we all had small grocery stores and so individuals that wanted to be an election judge, being such of a small mom and pop type of businesses, I was making sure that penalties would not accrue and that individual will be in any type of a... any civil action or type of... any type of criminal action be taken against them if they deny an individual not to be an election judge because they may be shorthanded that day or maybe an emergency where they need them to be at their place of work. And in the same vein, I understand what you're trying to do and I support individuals being election judges because there is a shortage on a continuous basis. And I think that's one of the reason why the Board of Elections have also allowed

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students... college students, have promoted college students to become election judges. And so... once again, I'll just listen to debate. Thank you."

Osterman: "One other point I'd like to make is that the... someone who is found to be an elect... or who wants to participate, has to give the employer a 20-day written notice, so that the employer could make amends to cover on that... on election day."

Giles: "Thank you."

Speaker Hartke: "Further discussion? The Chair recognizes Representative Cross. Did you not speak already?"

Cross: "Yeah. I... Did you hear my request for verification earlier, Mr. Speaker?"

Speaker Hartke: "No, I did not."

Cross: "Well, I'd like to make one now. Thank you."

Speaker Hartke: "Okay. Representative Osterman to close."

Osterman: "Ladies and Gentlemen of the House. We have a problem and we have a choice to address that or have an election, like we did in Florida that came down to a very close votes and the outcome was, what it was. But we have a problem. We have lack of election judges. This is an effort... a good faith effort to try to include more of our citizens in the electoral process to ensure that we have a fair, orderly election. This is a good government Bill. I think the constituents in the State of Illinois and every district here would support your 'aye' vote, so I'd appreciate it. Thank you."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 3810?' Those in favor of the Bill will vote 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? There has been a verification requested. Vote your own switches. Have all voted who wish? Have all

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voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 40... 49 Members voting 'yes', 60 Members voting 'no'. And this Bill, having failed to reach a Constitutional Majority, is hereby declared... postpone... The Member requests Postponed Consideration. House Bill 5646, Representative Lyons. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5646, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #2, offered by Representative Eileen Lyons, has been approved for consideration."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Floor Amendment #2 to House Bill 5646 makes it a shell Bill. I want to assure this Body that the original Bill got out of committee unanimously, but in the meantime I have concerns about the Bill and did not have time to address both the sunset date and security of the, the fax machine that would be used to back up a little bit. This Bill is in response to a national study to ask states to look into the facility of the election process for our servicemen. And it would provide for a permissive authority to fax election materials, absentee ballots and the absentee... and the ballots themselves. And as I said, I have concerns that I would like to continue working on this Bill. So I'd ask that we could pass this vehicle Bill out so I can continue to work on it."

Speaker Hartke: "Is there any discussion on the Amendment? Seeing no one is seeking recognition except Representative McCarthy."

McCarthy: "Thank you, Mr. Speaker. I'd just like to ask the Sponsor can we have her assurance that if the subject

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matter of this Bill changed in any way over in the Senate, you would not call it to be reapproved."

Lyons, E.: "You have my assurance."

McCarthy: "Thank you."

Speaker Hartke: "You've had the question is, all those in favor of the Amendment signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Representative Lyons."

Clerk Bolin: "House Bill 5646, a Bill for an Act concerning elections. Third Reading of this House Bill."

Speaker Hartke: "Representative Lyons."

Lyons, E.: "I would ask for the support of this Body for this vehicle Bill."

Speaker Hartke: "Is there any discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 5646?' All those in favor of the Bill will say 'aye'; those opposed 'no'. In the opinion of the Chair... Vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 83 Members voting 'yes', 28 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5255, Representative Mathias. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5255, the Bill's been read a second time, previously. No Committee Amendments. Floor Amendment #1, offered by Representative Mathias, has been approved for consideration."

Speaker Hartke: "Representative Mathias."

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Mathias: "Thank you, Mr. Speaker. Federal regulations require vehicles with a model year of 1996 or newer to be equipped with an on-board computer. The computer has sensors throughout the exhaust system of the vehicle which can sense the level of emissions. House Bill 5255 would allow the EPA to use this method of emissions testing as opposed to the current treadmill test. This method is much simpler. Allows the EPA to simply hook up to your on-board computer, read the level of emissions. Not only will this be a faster easier method, but it should also address many of the current complaints that the treadmill test sometimes damages vehicles. I urge you to support House Bill 5255. Thank you."

Speaker Hartke: "Is there any discussion on Floor Amendment #1? Seeing no one is seeking recognition, the question is, 'Shall the House adopt Floor Amendment #1 to House Bill 5255?' All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5255, a Bill for an Act regarding vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Mathias."

Mathias: "Yes. Thank you, Mr. Speaker. Floor Amendment #1 became the Bill, as we previously discussed. I urge again your previous..."

Speaker Hartke: "Is there any discussion?"

Mathias: "...support."

Speaker Hartke: "Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 5255?' Those in favor of the Bill will vote 'yes'; those opposed vote

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'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 104 Members voting 'yes', 6 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4897, Representative Stephens. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4897, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4897, a Bill for an Act concerning state funds. Third Reading of this House Bill."

Speaker Hartke: "Representative Stephens."

Stephens: "Mr. Speaker, there are no fee increases in this Bill. This simply creates a... an Act that provides that the display of the American flag may not be prohibited in any building owned, leased, or controlled by the State of Illinois."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4897?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4720, Representative Smith. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4720, the Bill's been read a second time, previously. No Committee Amendments. No Floor

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Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4720, a Bill for an Act in relation to business transactions. Third Reading of this House Bill."

Speaker Hartke: "Representative Smith."

Smith: "Thank you, Mr. Speaker and Ladies and Gentlemen. We intend to amend this in the Senate to satisfy a need of the agricultural implement dealers. We have been trying to work with them and the manufacturers to... to clarify a dispute that they have had over the reimbursement rate for warranty work. I know of no opposition. At this point, we are still working on the language and have worked with the manufacturers association to address their concerns and hope to have it back when it comes through the Senate."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4720?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 75 Members voting 'yes', 33 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4837, Representative Smith. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4837, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments have been approved for consideration. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4837, a Bill for an Act concerning

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corrections. Third Reading of this House Bill."

Speaker Hartke: "Representative Smith."

Smith: "Thank you, Mr. Speaker. Again, I'd ask for the House's indulgence to send this over to the Senate. This is to address some issues that have been raised by the judicial conference. Working with my predecessor here, who is now an Appellate Justice, Tom Homer, who's chairing that committee to address some of the, some of the confusion that exists currently in the mind of judges and the Sentencing Code. I believe we're close to having the language put together, but I'd like to send it over to the Senate to have it completed."

Speaker Hartke: "Representative Cross."

Cross: "Are you... I'll defer to Representative Black, if I can Representative Hart... Mr. Speaker."

Speaker Hartke: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Inquiry of the Clerk."

Speaker Hartke: "State your inquiry."

Black: "What Amendments are on this Bill?"

Clerk Bolin: "No Amendments have been adopted to the Bill."

Black: "All right. So the... the analysis that says Floor Amendment #1, I assume then it would mean that Floor Amendment #1 is still in the Rules committee, correct?"

Clerk Bolin: "Floor Amendment #1 has been referred to a standing committee."

Black: "All right. So, so that Amendment was never approved and this is in effect a vehicle Bill... a shell Bill, correct? The Sponsor yield?"

Speaker Hartke: "A, Mr. Smith."

Black: "Representative, I just want to make sure that I understand you."

Smith: "Yes. That is correct."

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Black: "There... There's no substantive language in this Bill. It is a shell Bill dealing with the Department of Corrections. What is your intent with the Bill?"

Smith: "I can guarantee you, Representative Black, there won't be any fees for counties in this. This... We're working on language from the committee of the Judicial Conference to clarify some confusion that they feel exists currently in the Sentencing Code."

Black: "Do we have your word it will only be used for sentencing language, not for any substantive change in the operations of the Department of Corrections? I... The reason I ask, let me be very honest with you. I will be somewhat dismayed if this comes back with language to close another correctional facility or refuse to open a correctional facility or makes any changes in the operation of the Department of Corrections as we now know it. I have your word that it will not be used for that?"

Smith: "Yes, you do, Representative Black."

Black: "Thank you very much."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4837?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 60 Members voting 'yes', 48 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 5002, Representative Bellock."

Clerk Bolin: "House Bill 5002, the Bill's been read a second time, previously. No Committee Amendments. No Floor

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Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 5002, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Bellock."

Bellock: "Thank you, Mr. Speaker. House Bill 5002 amends the Criminal Code and increases the penalty for second or subsequent convictions for domestic battery or violating an order of protection from a Class IV felony to a Class III felony. This came about from the Coalition Against Domestic Violence."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 5002?' All in favor signify by voting 'aye'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4110, Representative Lawfer. Mr. Clerk, read the Bill. Yes, 4118. Sorry. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4118, the Bill's been read a second time, previously. Amendment #1 was adopted in committee. Floor Amendment #2, offered by Representative Lawfer, has been approved for consideration."

Speaker Hartke: "Representative Lawfer on Amendment #2."

Lawfer: "Amendment #2 removes the objections that the Illinois State Chamber had with this. It deals only with shellfish certificates and also deals with other certificates of free sale, health certificates, and veterinary certificates that are issued by the Department of Public Health."

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Speaker Hartke: "Is there any discussion on Floor Amendment #2? The question is, 'Shall the House adopt Floor Amendment #2 to House Bill 4118?' All in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk Bolin: "No further Amendments."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4118, a Bill for an Act in relation to public health. Third Reading of this House Bill."

Speaker Hartke: "Representative Lawfer."

Lawfer: "As I've mentioned in the earlier discussion, this clears up some technical languages and also I think is necessary for a... to ensure a safe food supply in the State of Illinois."

Speaker Hartke: "Representative Feigenholtz. She declines recognition. Is there any further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4118?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... Have all voted who wish? Mr. Clerk, take the record. On this question, there are 85 Members voting 'yes', 25 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4414, Representative Davis. Monique Davis. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4414, a Bill for an Act in relation to health. Third Reading of this House Bill."

Speaker Hartke: "Representative Davis."

Davis, M.: "Thank you, Mr. Speaker. House Bill 4414 is a Bill that requests that there be lead screening for 13-year-olds or people... mothers who are expecting children, who live

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in high risk areas. The purpose of this legislation is to treat those who have lead poisoning and prevent so many births with children with developmental disabilities, slow learning rates, and the inability to learn. We have found that the treatment is very reasonable. It's a something that's given to the blood that removes these metals... the metal of the lead and we are pleased to present this to you and we hope we have your support."

Speaker Hartke: "Is there any discussion? Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield."

Speaker Hartke: "Sponsor will yield."

Black: "Representative, I... Let me just make something clear. I may be, I may be wrong but it was my understanding that you agreed to hold this Bill on Second while you looked for a funding source."

Davis, M.: "Yeah. We've been, we've been talking with the county and with the city in reference to lead abatement funds from the Federal Government."

Black: "You think there's a good possibility?"

Davis, M.: "I think there is a good possibility."

Black: "Okay. Thank you very much."

Davis, M.: "You're welcome."

Speaker Hartke: "Chair recognizes Representative Wojcik."

Wojcik: "Thank you, Mr. Speaker. I just have a question, Representative. In my analysis it says the Illinois Medical Society is against this legislation. Is that true?"

Davis, M.: "You know, I'm not sure if they still are. I'm really... I'm not sure at all."

Wojcik: "You don't know."

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Davis, M.: "I think when they realized it is for at-risk and not all expectant mothers or all 13-year-olds. Those that are at-risk and the medical profession feels the test should be given."

Wojcik: "Okay. Thank you."

Davis, M.: "You're welcome."

Speaker Hartke: "Further discussion? Seeing no one is seeking recognition, the question is, 'Shall the House pass House Bill 4414?' All those in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 64 Members voting 'yes', 44 Members voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4953, Representative Jefferson. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4953, a Bill for an Act concerning motor vehicles. Third Reading of this House Bill."

Speaker Hartke: "Representative Jefferson."

Jefferson: "Thank you, Mr. Speaker, Members of the House. This Bill... House Bill 4953 makes several technical changes to the Vehicle Code to make it easier to enforce railroad crossing violations and improve public safety. The Secretary of State's Office claims that these changes are necessary to come into compliance with the following rules of the Motor Carrier Safety Improvement Act of '99. If left unchanged, according to the Secretary of State, separate procedures must be established which will not necessarily complicate the current statutory makeup for similar disqualifying actions. House Bill 4953 is a clean up Bill from the Drivers Service Department, Secretary of

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State's Office. There's no opposition to the Bill. I would appreciate a favorable vote."

Speaker Hartke: "Chair recognizes Representative Black."

Black: "Thank you very much, Mr. Speaker. Will Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

Black: "Representative, the only question I have deals with the definition that I can't find in the Bill. It amends the Vehicle Code and adds, 'driving under the influence of intoxicating compounds'. Is there a definition of an 'intoxicating compound' in the Bill?"

Jefferson: "No."

Black: "Ya know, many, many years ago, when I was first married, my wife's perfume could be an intoxicating compound. But that's another story. I just want to know if there's a definition of an 'intoxicating compound' in the Bill."

Jefferson: "Thank you, Representative. I think when they put that in there, they were making sure that they cover all the compounds, whether it was sniffing glue or whatever the case might be. Any compounds that you are able to get high off of."

Black: "Well I can get off... I can get high off the sounds of a really good CD, like the Rolling Stones or Wilco or Mozart..."

Jefferson: "You might be in trouble."

Black: "That's what I'm afraid of, that's why I'm asking the question. Without a definition of an 'intoxicating compound', then I'm giving a great deal of leeway to the Secretary of State. Surely somewhere, there's a definition of 'intoxicating compounds'. I mean, just like tonight on the way home, I'll put the window down and I'll... just, just the clean air will be an intoxicating compound."

Jefferson: "I don't have a complete definition at this time,

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Representative."

Black: "All right. Representative, I, I have no doubt that this is a good Bill and the railroad language is certainly necessary and needed. But I, I just want the record to reflect I'm gonna vote 'no' until I know what a definition is of an 'intoxicating compound'. For all I know, it could be a medication that I... is a prescribed medication but may impair my judgement. I'd like to know if neosynephrine or some kind of medication could be construed as an intoxicating compound. I, I doubt that it is, but in the absence of a definition, I'm, I'm not gonna let... give somebody that kind of power."

Jefferson: "Representative, just in response to your question. I guess the definition of the controlled substance in alcoholic contents."

Speaker Hartke: "Further discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4953?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 Members voting 'yes', 9 Members voting 'no', and 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 4472, Representative Wright. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4472, the Bill's been read a second time, previously. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Hartke: "Third Reading. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4472, a Bill for an Act in relation to vehicles. Third Reading of this House Bill."

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Speaker Hartke: "Representative Wright."

Wright: "Thank you, Mr. Speaker and Members of the House. This amends the Illinois Vehicle Code and makes it an offense to use a fraudulent or fictitious or unlawfully altered drivers license to purchase or attempt to purchase a ticket for a common carrier or to board a common carrier knowingly possessing such a license. It makes it a Class IV felony for a first offense and a Class III felony for a second or subsequent offense. And I'll be happy to answer any questions."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4472?' All in favor signify by voting 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 109 Members voting 'yes', 0 voting 'no'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Under the Z House Bill... Z... House Bill 4330. Mr. Clerk, read the Bill."

Clerk Bolin: "House Bill 4330, a Bill for an Act in relation to criminal law. Third Reading of this House Bill."

Speaker Hartke: "Representative Zickus."

Zickus: "Thank you, Mr. Speaker and Members of the House. This Bill changes the period for a rehearing by the prisoner review board from three years to no later than five years after the denial of a prisoner's parole hearing if the board finds that it is not reasonable to expect that parole would be granted at a hearing prior to the scheduled hearing date. This applies to... as of March 21st, 403 remaining prisoners who are eligible for a parole hearing, these are all prisoners who committed their crimes before

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1978."

Speaker Hartke: "Is there any discussion? Seeing that no one is seeking recognition, the question is, 'Shall the House pass House Bill 4330?' Representative McKeon."

McKeon: "Will the Sponsor yield?"

Speaker Hartke: "Sponsor will yield."

McKeon: "Representative Zickus, as you know there are approximately 400 prisoners... See number of prisoners left, so they have been caught between the old system and the new system. I don't understand the rationale of extending the parole time frame from three years to five years. What is the rationale?"

Zickus: "All right. The prisoners that right now, they can go... the parole board can go to three years if they so choose. The last figures I have, only 67 of those prisoners had three-year terms, 10 had two, and the remaining had..."

McKeon: "Mr. Speaker, I can't hear... I can't hear the..."

Speaker Hartke: "Shhh. Ladies and Gentlemen, please."

Zickus: "Almost 90% of these prisoners are first degree murderers. Almost all of the others are rapists, and those are persons who are convicted of the crimes that now go under the heading of sexual assault. There's only about 1% that have lesser crimes, like aggravated battery with a firearm. The vast majority of the prisoners are murderers that we're... that we're talking about. If you've ever been to one of the hearings and see what the families of the victims or the survivors of the victims have to go through every few years, this is basically to save... it'll do two things. It'll save these... the... some of the surviving victims and their families from having to go through this ordeal of reliving that horror year after year. And it also recognizes that nonviolent and violent

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offenders should not be subject to the same conditional release process, and by identifying high risk offenders and extending their next scheduled parole review hearing, the system becomes more streamlined and it becomes more cost efficient. But my emphasis was on victims and the victims families."

McKeon: "Well I, I agree with you there. But, Representative, are you aware that many of the current prisoners serving serious crimes, like homicide, under the new system are being released 10 to... sometimes 15 years earlier than these older prisoners that are still sitting in our state institutions?"

Zickus: "Under the old law, they did have an opportunity to voluntarily transfer into that program."

McKeon: "Well, that's, that's a really is... I... for me personally is a specious argument. At that time, they were under the impression and led to believe that they would not serve any longer than prisoners that were incarcerated on undeterminate sentencing. And in fact, many of those prisoners have served 10 to 15 years longer than prisoners sentenced under the new system. Prisoners convicted of multiple murders, that are getting out in 15 years, see a number of prisoners under the old system, still languishing in our prisons after serving 30... 35 years plus. We have a terrible injustice here. Even though these prisoners have created very heinous crimes, we have a standard for one set of prisoners, less than 400 in the system, totally more severe than the prisoners under the so-called reform provisions. I respect, Representative, your concern for the families. But there are two sets of families who are victimized here. The families of those in custody, who have completed bachelors degrees, masters degrees, have no

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disciplinary record, who are still being held in prison, while prisoners sentenced for a much lesser time for similar crimes are getting out in half the time. I urge a 'no' vote. It's... I don't want to burden the victims' families any more than they need to be, but there's only about 400 of these prisoners left and a parole hearing every three years, given that they've served a considerable amount of time more than other people that have committed the same crimes, is not unwarranted."

Speaker Hartke: "Further discussion? Chair recognizes Representative Morrow."

Morrow: "Yes. Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Hartke: "The Lady will yield."

Morrow: "Representative Zickus, I'm not an expert on this topic, but are victims' families... Is it a requirement that they must appear in person at a parole hearing or can they offer written or video testimony?"

Zickus: "My understanding is that they must appear personally."

Morrow: "The must appear personally."

Zickus: "Yes."

Morrow: "Okay. Not... Now, that I'm straight on that... Mr. Speaker, Mr. Speaker..."

Speaker Hartke: "Yes."

Morrow: "To the Bill."

Speaker Hartke: "To the Bill."

Morrow: "I rise in opposition to House Bill 4330. You know, I, I, I, I feel for the, for the families of the victims and for them to have to relive this... the horror of losing their lost ones, as I'm sure is a, a burden, but maybe it's the way and maybe it's wording in the analysis that our staff created, the rationale behind House Bill 4330 is that victims of crimes and/or family members of victims of

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violent crimes all will often travel to parole hearings to protest the potential parole of the perpetrator of a crime. Well, I don't think we need to pass this Bill, based on the fact that the families of a victim is required to appear in person at a parole hearing. I mean, we, we went from parole hearings every year to every three years, and I think that's adequate time in itself. To bring it to five years, does not streamline the system at all. Basically, the intent of this Bill, and I have nothing against the intent of the Bill, but three years is long enough for someone to have his parole be reheard. Five years is way too long. I just cannot in good conscious vote for House Bill 4330. I urge 'red' votes on this Bill."

Speaker Hartke: "Chair recognizes Representative Poe."

Poe: "Mr. Speaker and Ladies and Gentlemen of the House. I want to rise in support of this. I have a personal case, my campaign manager that works for us and always very hard, his grandparents, both was killed in an armed robbery. Until Representative Black passed the Bill, just a short time ago, every year they had to go through that. Every year I got that call. The whole family had to go through that crisis back again and relive it. We moved it to three, I don't see one thing that would hurt this to go to five years. When he was convicted of a murder, they didn't have the death sentence. He got a life term, and I think that's what he should have. So, I would rise in support, because I don't think we ought to put these families through that any more than we have to. Thank you."

Speaker Hartke: "Further discussion? Chair recognizes Representative Monique Davis."

Davis, M.: "Thank you, Mr. Speaker. I rise in opposition to this legislation. I think it's significantly important that we

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realize that a number of people who came to America from Europe, came because of the severe, harsh, unending penalties on those who had committed crimes. This was a country in which, if you committed a crime, you served your time. You were given an opportunity, if you had good time, to be released early. And I think for especially those who don't want an income tax increase, should realize that the longer we keep people in prison, the more people we have in prison, the more we will spend from our tax dollars on keeping them. I believe that people who are in prison, they should have a right to go before the prison review board and it should not be every five years. It sounds like something from an archaic country in which you're banished, you're banished from society for five years or more, before you can request your freedom? It is so un-American and I'm sure we will not support such legislation."

Speaker Hartke: "Representative Zickus to close."

Zickus: "...you, Mr. Speaker. This is... this allows the prison review board the flexibility to have five years only in cases where they feel that the prisoner would not be released before that. We are talking about prisoners who have committed the most heinous of crimes. When this all started, there were 16,500 prisoners, there are now only 403. Out of that 403, 326 of them the parole board did say that they could have their hearing the next year. We're just trying to streamline the system. And yes, we do have to look at victims. In my own district, there's a woman whose daughter was brutally attacked. She was... it was premeditated. This 19-year-old girl was stabbed 19 times and left to die. Every year when he comes up for parole, this elderly lady goes out into the neighborhoods to

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collect signatures, thousands of signatures to bring to the Prisoner Review Board. I just want to leave you with one article that was in the paper, and it's from a victim... and I urge your 'aye' vote."

Speaker Hartke: "The question is, 'Shall the House pass House Bill 4330?' All those in favor of the Bill will vote 'yes'; those opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there is 78 Members voting 'yes', 29 Members voting 'no', 2 Members voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Representative McKeon is recognized for a Motion."

McKeon: "I can't speak to the previous Bill?"

Speaker Hartke: "No."

McKeon: "No, oh all right. Sorry. I'd like to move to wave the posting requirements for the Property Tax Reform and School Funding Committee, which we would like to meet on Wednesday, April 10th, 10:00 a.m., in 122B for a subject matter hearing only."

Speaker Hartke: "Is there leave? Leave is granted. Representative Black, for what reason do you seek recognition?"

Black: "Point of personal privilege, Mr. Speaker."

Speaker Hartke: "State your point."

Black: "I just want to congratulate you on a job well done and thank you. You've been in the Chair all day, you've been fair and you've been a... you've done a heck of a job. Thank you."

Speaker Hartke: "Thank you very much, Mr. Black. Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. And next week, maybe we can

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have a little fun at the Sportsmens Caucus auction and reception on Tuesday. Members of the caucus, if you can bring an item for the auction, we'd appreciate it. So, next Tuesday at 6:00 in the Artisan (sic-Artisans) building. Thank you."

Speaker Hartke: "Mr. Clerk, Agreed Resolutions."

Clerk Rossi: "House Resolution 767, offered by Representative Hoeft; House Resolution 768, offered by Representative Mautino; House Resolution 770, offered by Representative Wirsing; House Resolution 773, offered by Representative Burke; House Resolution 775, offered by Representative Burke; House Resolution 777, offered by Representative Howard; House Resolution 779, offered by Speaker Madigan; House Resolution 780, offered by Representative Morrow; House Resolution 781, offered by Representative Morrow; House Resolution 782, offered by Representative Mendoza; House Resolution 783, offered by Representative Meyer; and House Joint Resolution 68, offered by Representative Wirsing.

Speaker Hartke: "Further Agreed Resolutions? All those in favor of the Resolutions signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Agreed Resolutions are adopted. Mr. Clerk, the Adjournment Resolution."

Clerk Rossi: "Senate Joint Resolution #66, offered by Representative Currie.

SENATE JOINT RESOLUTION NO. 66

RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, April 4, 2002, it stands adjourned until Tuesday, April 9, 2002, at 12:00 o'clock

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noon; and when the House of Representatives adjourns on Friday, April 5, 2002, it stands adjourned until Tuesday, April 9, 2002, at 1:00 o'clock p.m."

Speaker Hartke: "Per the Adjournment Resolution, all those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Adjournment Resolution is adopted. Allowing perfunctory time for the Clerk, Representative Black now moves that the House stand adjourned to the hour of 1:00 p.m., April 9th. All those in favor signify by saying 'aye'; opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House stands adjourned."

Clerk Rossi: "House Perfunctory Session will come to order. Introduction of Senate Bills. Senate Bill 1537, offered by Representative Scully, a Bill for an Act in relation to public safety. Senate Bill 1558, offered by Representative Tenhouse, a Bill for an Act concerning the regulation of professions. Senate Bill 1645, offered by Representative Novak, a Bill for an Act concerning energy efficiency. Senate Bill 1666, offered by Representative Yarbrough, a Bill for an Act in relation to taxes. Senate Bill 1687, offered by Representative Saviano, a Bill for an Act concerning the regulation of professions. Senate Bill 1795, offered by Representative Lou Jones, a Bill for an Act in relation to vehicles. Senate Bill 1798, offered by Representative Krause, a Bill for an Act concerning hospitals. Senate Bill 1820, offered by Representative Feigenholtz, a Bill for an Act concerning hospitals. Senate Bill 1917, offered by Representative Yarbrough, a Bill for an Act in relation to minors. Senate Bill 1924, offered by Representative Bost, a Bill for an Act concerning vehicles. Senate Bill 1978, offered by Representative Feigenholtz, a

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Bill for an Act in relation to public aid. Senate Bill 2030, offered by Representative Lindner, a Bill for an Act in relation to criminal law. Senate Bill 2049, offered by Representative Scully, a Bill for an Act concerning partnerships. Senate Bill 2069, offered by Representative Miller, a Bill for an Act relating to higher education institutions. Senate Bill 2149, offered by Representative Rauschenberger, a Bill... Senate Bill 2149, offered by Representative Winters, a Bill for an Act in relation to forest preserve districts. Senate Bill 2232, offered by Representative Kurtz, a Bill for an Act in relation to wildlife population control. Senate Bill 2271, offered by Representative Klingler, a Bill for an Act in relation to criminal law. Senate Bill 2223, offered by Representative Brosnahan, a Bill for an Act in relation to state finance. First Reading of these Senate Bills. Being no further business, the House Perfunctory Session now stands adjourned."